

EXTENSIONS OF REMARKS

LEGISLATIVE TO INCREASE THE PRIVATE ACTIVITY BOND CAP

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mrs. KENNELLY of Connecticut. Mr. Speaker, today, Mr. HOUGHTON of New York and I will introduce legislation to increase the private activity bond cap.

The current gap is the greater of \$50 per capita or \$150 million. It applies to issuers of tax-exempt bonds for affordable single and multifamily housing, manufacturing facilities, environmental, energy, and utility projects, redevelopment of blighted areas, and student loans. The Tax Reform Act of 1986 created the cap and forced States to allocate the authority among eligible activities.

While cap growth is limited to annual population growth, the cap has not been adjusted for inflation since 1986. Therefore, those States with declining populations have been doubly disadvantaged. This means private activity bonds have lost a huge amount of their buying power.

Demand for the private activity bond authority exceeds supply in most States. One example is the overwhelming demand for mortgage revenue bonds [MRBs], issued primarily by State housing finance agencies [HFA's] to finance modestly priced first-time homes for low- and moderate-income families. In 1995, State housing financial agencies issued \$8 billion in MRB's for more than 103,000 mortgages, according to the National Council of State Housing Agencies [NCSHA].

But home ownership remains out of reach for thousands more families whom HFA's could serve with more private activity bond authority. State HFA's could have used an additional \$1.8 billion in 1995 cap authority, according to HCSHA. Other private activity bond issuers face equally high unmet demand.

The current cap is strangling the ability of States and localities to make much-needed investment in their citizens and communities. Please join us in supporting a long overdue increase of the cap.

TRIBUTE TO FRANK GRAZIOSO FOR HIS WORK WITH THE ITALIAN-AMERICAN COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DeLAURO. Mr. Speaker, on October 20, 1996, the Connecticut Grand Lodge, Order Sons of Italy in America will honor Frank Grazioso as its Citizen of the Year. It is my great pleasure to rise today to honor Frank and all that he has contributed to the Italian-American community in New Haven.

Frank epitomizes the values that are important to the Italian-American community. To-

gether with his wife, Mary, he has raised two wonderful children. Frank and Mary, like so many families, have worked hard to make a home for their children. I know they must be very proud of their son, Henry, who is now a physician living in Philadelphia and their daughter, Claudia Anne, who is now a screenwriter in Los Angeles. In addition to family responsibilities, Frank and Mary, through her work as a school psychologist, have made remarkable efforts to reach out to countless others. A life-long resident of the city, Frank has truly made the people of New Haven his family.

Citizen of the Year is a most appropriate honor for Frank because he is passionately involved in activities and events within the Italian-American community. Frank's work as Chair for the Columbus Day Celebration always comes to mind because he has given so much of his time, talents, and energy to planning this important day for Italian-Americans. He has also chaired the State of Connecticut Columbus 500th anniversary celebration. Frank has made the holiday a truly memorable one year after year.

In addition to his work for the Columbus Day celebration, Frank has been involved with the National Italian American Foundation (NIAF) since 1977. During this time, he was elected to the board of directors and has served on the committee on by-laws and as regional vice president of New England. In keeping with his commitment to his roots in Italy, Frank has traveled there three times to represent the NIAF at meetings and receptions. Recently, he was elected general counsel and national officer.

Nothing speaks to Frank's character more than his efforts to help victims of the 1991 earthquake in Italy. It was typical of Frank's dedication to maintaining a close connection to the people of Italy. Frank's definition of family clearly encompasses so much more than blood relatives. He was named Cavaliere in the Ordine Al Merito della Repubblica for his contributions.

I am proud to join the Connecticut Grand Lodge in honoring Frank with the Citizen of the Year Award. Frank has served as a link between New Haven and Italy. His enthusiasm and hard work ensures that Italian spirit and culture continue to thrive in New Haven.

TRIBUTE TO BEVERLY HILLS CITY COUNCILMEMBER ALLAN ALEXANDER

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in recognizing the distinguished career of Beverly Hills City Councilmember Allan Alexander, who is retiring after many years of public service.

Councilmember Alexander served as mayor of Beverly Hills for two terms and has been a

vital member of the city council since 1988. His interest in community and devotion to public service can be traced as far back as his childhood in the small agricultural town of Watsonville in Northern California.

Councilmember Alexander practiced law for 28 years prior to his election to the city council. During that time he affirmed his commitment to public service as president and director of Public Counsel, the largest pro bono law firm in the nation.

As a councilmember, Mr. Alexander continued to participate in local organizations, believing that one must be an active participant both at the community level and beyond its borders. He served as an officer and director of the Economic Resources Corp., which is working to redevelop South Central Los Angeles, and as director and president of the SOS Exceptional Youth Foundation, which provides schools for mentally challenged and delinquent children.

Councilmember Alexander made additional important contributions through his exemplary leadership in a variety of other organizations. He sat on the City Planning Commission, serving as its chair from 1986 to 1987, as founding president and director of the Southwest Beverly Hills Homeowners Association, and as a member of the Beverly Hills Chamber of Commerce and Civic Association.

While on the council, Councilmember Alexander worked to develop transportation and traffic programs, and he encouraged the creation of traffic management plans to divert traffic away from residential streets. He championed numerous causes of special importance to the city such as crime prevention, emergency preparedness, support for the Beverly Hills school system and historical preservation. The residents of Beverly Hills owe a great debt of gratitude to Allan Alexander for his exceptional record of service and achievement.

I ask my colleagues to join me in honoring Councilmember Alexander for his long and successful career in public service and in wishing him, his wife Joan, and their three sons great happiness and success in the future.

TRIBUTE TO ANN KOUGH

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SHERMAN. Mr. Speaker, Mr. BERMAN and I are honored today to pay tribute to Judge Ann Kough who last week was given the Distinguished Service Award by the San Fernando Valley Bar Association. Her reputation as a fair, trustworthy and accessible judge precedes her. She has created an atmosphere of openness and cooperation that surrounds all who enter her courtroom.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mrs. Kough received a bachelor's degree in sociology from Whitworth College in Spokane, WA, and a masters degree in the same subject from California State University, Fullerton. In 1978, she graduated from UCLA School of Law, where her desire to be a judge first emerged. Once out of school she worked for the Los Angeles Deputy City Attorney for 3 years then entered into private practice. She quickly became a partner in the Los Angeles firm O'Loughlin, Kough & Katz, she handled cases involving criminal, civil, and family law.

Ms. Kough was appointed to the bench in April 1989 by Governor Deukmejian. When lawyers who have worked in her courtroom are asked about Judge Kough, they consistently comment on her pleasant demeanor and uncommonly objective sentencing. She is known for consistently listening to all sides in a case before coming to any decision and maintaining an open mind until a final verdict is reached. Judge Kough recognizes that the legal system can often overlook the personal and emotional needs of those involved, and she makes a concerted effort to take these factors into consideration on the bench.

Judge Kough prides herself on being able to say, "I've made a difference," at the end of the day. Indeed she has made a difference, and at the end of the day we are all the better for it.

LEGISLATION TO DESIGNATE THE
U.S. BORDER STATION IN PHARR,
TX AS THE "KIKA DE LA GARZA
U.S. BORDER STATION"

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to designate the U.S. border station located in Pharr, TX, as the "Kika de la Garza U.S. Border Station." I am proud to author this legislation honoring a great legislator, my former House colleague, Kika de la Garza.

Kika de la Garza was born in Mercedes, TX, on September 22, 1927. He earned his law degree from St. Mary's University in San Antonio, TX, in 1952. He served in the Navy from 1945 to 1946, and in the Army from 1950 to 1952. He served in the Texas House of Representatives from 1953 to 1965. In 1964, he was elected to Congress, where he was sent back to Congress by the people of the 15th Congressional District of Texas for 16 terms.

In 1981, Kika became the chairman of the House Agriculture Committee. During his 14-year tenure as chairman, Kika compiled an impressive record of achievement and dedicated service to America's farming community. Most notably, Kika went out of his way to foster a climate of cooperation, inclusive and bipartisanship on the committee. Under his able leadership, the Agriculture Committee was able to form a consensus on a number of important and intricate agricultural issues. In the 103d Congress Kika played a lead role in the enactment of legislation revamping and streamlining the U.S. Department of Agriculture. Under his watchful eye, legislation was crafted that made many needed and important changes—without eviscerating those USDA programs that were effective and need-

ed to help America's farmers and protect the public. The bill that ultimately became law made remarkable changes at USDA. Because of Chairman de la Garza's leadership and sage counsel, the bill represented the right way to reinvent Government.

Throughout his 32-year career in Congress, Kika never lost sight of the folks back home. He fought tirelessly for his constituents. He also proved to be an able and effective advocate for American farmers. In no small measure because of his leadership, American agriculture remains the envy of the world.

Kika also is an amateur linguist and a gourmet cook. On many occasions he conversed with foreign dignitaries in their native tongue. Personally, Kika is my friend. I am proud to sponsor this legislation and I urge all my colleagues to support the bill.

H.R. 769, H.R. 770, AND H.R. 771, THE
MISCLASSIFICATION OF EMPLOY-
EES ACT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. LANTOS. Mr. Speaker, I rise today to say a few words about the job classification of workers, and to urge my colleagues to support H.R. 769, H.R. 770, and H.R. 771, the Misclassification of Employees Act. H.R. 771 clarifies our tax laws with regard to employee classification. H.R. 769 and H.R. 770 would require debarment from contracting with the Federal Government of any person who has been determined to have willfully misclassified a worker. Misclassification occurs when an employer wrongfully treats a worker as an independent contractor rather than as an employee. I have introduced H.R. 769, H.R. 770, and H.R. 771 as separate bills because they are referred to separate House committees.

Mr. Speaker, small business men and women have contacted many of us to explain some of the important reasons why Congress should take another look at how workers are classified for Federal income and employment tax purposes, as well as for many nontax purposes. We know that confusion with employee classification rules can lead to costly disputes with the IRS with devastating effects on small businesses. These costs include, among others, assessments of back taxes, interest, and penalties for businesses which misclassify workers as independent contractors, as well as the legal costs involved with coming into compliance with or defending against an IRS audit.

There are other issues relating to the misclassification of workers that arise out of the current procedures for determining who is an employee and who is an independent contractor, including the effect of misclassification on the unsuspecting worker, the effect of misclassification on the honest businessman trying to compete with a competitor who has misclassified his workers, and the effect of misclassification on the Federal budget deficit. H.R. 771 would remedy some of the unintended effects that arise out of the current procedures for determining who is an employee and who is an independent contractor.

I would like to make clear from the outset, however, that I agree with and recognize the

appropriate and valuable roles of those who work as independent contractors. This country has benefitted greatly from the spirit and independence of the self-employed individual and I do not think there is anyone who wants to stifle the creativity of these individuals. It is the misuse of the independent contractor status and its serious adverse effect on both employer and worker that concerns me.

My distinguished colleague and friends, CHRIS SHAYS, and I became interested in the classification of workers several years ago when we served together on the Employment and Housing Subcommittee of the Government Operations Committee. We found that the current means for determining employment status has had several negative effects: First, it results in similarly situated employers being treated very differently under tax law; second, it allows—and actually encourages—businesses to undercut competitors through unfair practices; third, it leaves some workers exploited and unprotected; and fourth, it deprives the Federal Government of significant revenue.

Under current law, workers are classified as either employees or independent contractors in one of three ways. First, some workers are explicitly categorized as either employees or independent contractors by statute. Second, workers may be classified as independent contractors under statutory safe harbors enacted in section 530 of the Revenue Act of 1978. Third, if a worker is not classified statutorily, and cannot be classified under the statutory safe harbors, then the worker is classified by applying a very subjective common law test. Most workers fall under this third category.

Current law also allows some employers to misclassify workers if they have a reasonable basis for classifying employees as independent contractors. For example, an employer may rely upon a widespread industry practice as a reasonable basis for classifying a worker as an independent contractor. In fact, under the recently enacted Small Business Job Protection Act of 1996, the industry practice safe harbor was liberalized so that it may apply even if less than one-quarter of an industry classifies certain workers as independent contractors. Our legislation eliminates the safe harbor provisions entirely, since such provisions allow and encourage the misclassification of employees to continue. We thus restore a level playing field and eliminate the unfair competitive advantages which arise due to the misclassification of workers.

Because the common law test is extremely subjective, employers have trouble in properly determining worker classification, and revenue agents often classify workers differently even where the underlying circumstances of their employment are the same. Since a large part of the misclassification of workers is due to a lack of understanding of the laws, clearer rulings and definitions will eliminate a tremendous amount of uncertainty in this area. Our legislation eliminates the restriction on the IRS to draft regulations and rulings on the employment status of workers for tax purposes.

Mr. Speaker, our investigation found that the economic incentives for businesses to misclassify workers as independent contractors are huge. An employer who misclassifies a worker as an independent contractor escapes many obligations, including paying Social Security taxes, unemployment taxes and

workers compensation insurance, withholding income taxes and providing benefits such as vacation, sick and family leave, health and life insurance, pensions, and so forth. Most employers are honest, but the law-abiding employer is put at a serious disadvantage since he or she cannot compete on a level playing field with those who illegally cut their labor costs by misclassifying workers. Law-abiding employers will not be able to compete fairly until we provide more clear, objective standards by which businesses and the Government can determine whether an individual is an employee or an independent contractor.

Mr. Speaker, employers who have unintentionally misclassified workers should be given the incentive to come into compliance. Our legislation offers a 1-year amnesty to employers who have misclassified workers on the basis of a good faith interpretation of common law or of section 503. This provision removes the devastating possibility of large assessments for back taxes, interest and penalties and insures compliance in the future.

Misclassification can also have a devastating effect on the unsuspecting worker. As a contractor, he or she may receive a higher take-home pay and may be allowed to deduct more business expenses from income taxes. But the loss of financial benefits and of the many protections which are provided to employees can be catastrophic in cases of illness, unemployment and retirement. For example, there is no unemployment compensation for the independent contractor to fall back on between jobs. Health insurance is an individual responsibility and is usually far more costly than an employer's group policy. In the case of work-related injury or illness, there is no worker's compensation available. Our legislation would require prime contractors to notify legitimate independent contractors of all their tax obligations and other statutory rights and protections.

Mr. Speaker, as you know, many Federal entitlement programs hinge on the number employees that an employer has on its books. Thus, misclassifying employees as independent contractors also can enable employers to either escape responsibility for, or allow their workers to fall within coverage of, these entitlement programs. For example, the Health Insurance Portability Act of 1996 contains a much-heralded provision allowing medical savings accounts [MSA's]. However, MSA's are not available to an employee unless that employee works for a small employer, which is defined as an employer which employed 50 or fewer employees during either of the preceding calendar years. Additionally, the Health Insurance Portability and Accountability Act only allows a total of 750,000 taxpayers to have an MSA. Under liberal worker classification proposals, it would not be at all difficult for a dishonest employer with 60 employees to reclassify 10 of them as independent contractors so that the business now qualifies as a small employer. Moreover, by doing so, this type of dishonest employer may end up causing the 750,000 MSA participant ceiling to be reached much sooner than it otherwise would be, thereby bumping out of the MSA Program employees in other small businesses who lawfully would be entitled to their own MSA's. H.R. 771 would eliminate such distortion of the system by dishonest employers.

Last, Mr. Speaker, billions of dollars in Federal and State tax revenues are being lost as

a result of the intentional misclassification of workers. This is one of the few remaining areas where we can help reduce the Federal budget deficit without further cutting Government services or levying new taxes. A recent Coopers and Lybrand study found that at least \$35 billion in legitimate tax revenue over the next 9 years will be lost by the Federal Government due to the misclassification of employees. At a time when critical services are on the chopping block, we can no longer allow this waste and abuse to continue. We must take steps to curb the continued misclassification of employees.

The advantages of our legislation over more lax worker classification proposals are clear. Our legislation would clarify existing law, while other worker classification proposals seek a radical change to the worker classification principles that businesses have operated under to date. Our legislation would create a level playing field, while other worker classification proposals actually encourage unfair competition between employers and dishonest employers to cheat millions of unsuspecting workers out of employee benefits. Finally, our legislation would save the Federal Government billions of dollars in lost revenues, while other worker classification proposals would cost the Government billions more in lost tax revenues.

Mr. Speaker, misclassification, and especially intentional misclassification, has continued as a festering problem in this country for too long, and it is time for Congress to finally do something about it. I urge my colleagues to support the Misclassification of Employees Act.

TRIBUTE TO RUSSELL SWINDELL

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. ETHERIDGE. Mr. Speaker, I rise today to mark the passing of a great North Carolinian. Russell Swindell served his State and its people in many capacities during his 90 years, and he will surely be missed by all.

Russell Swindell was born in Swan Quarter, NC, and represented Hyde County in the North Carolina House from 1951 to 1955. He loved to spend time outdoors, and was a long-time member of the First United Methodist Church in Cary.

But his greatest accomplishment, and the one that has undoubtedly impacted the lives of countless North Carolinians, was his help in creating the State's community college system.

Mr. Speaker, there is a lot of talk these days in our Nation's Capital and throughout this country about the value and importance of a quality education. Russell Swindell knew that long ago, and with his help and hard work, North Carolina set up a quality community college system that educates our young people and provides necessary training for workers still today. His vision helped thousands receive an education and vocational skills that has allowed them a brighter future in our society.

After leaving his job with the State Department of Education, he maintained his interest in the community colleges during the 20 years he was the executive director of the North Carolina Railroad Association.

We are all thankful for his wisdom and vision and for the contributions he made to our lives.

I wish to pass on my condolences to those who survive him: His wife, Martha, his daughters Sue Martin and Mary Anne Brannon, and his son A.B. Swindell, and all his grandchildren.

DELAURO HONORS JEAN HANDLEY FOR HER WORK IN NEW HAVEN

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Thursday, November 14, 1996, Columbus House will hold its annual benefit. This year the benefit is entitled "It's a Small World" and is honoring two people who have given so much of themselves and have brought so much to the city of New Haven; Jean Handley and Timothy Shriver. I have known Jean for many years and her life and work embodies the benefit theme of bringing the global community to the city of New Haven.

Jean's professional life has always kept her in close contact with the people of New Haven. From 1984 through 1989, Jean was the vice president of Personnel and Corporate Relations for Southern New England Telephone Co. However, nothing speaks to Jean's character more than her dedicated patronage of the arts. Jean has lent her support to a number of local artistic organizations. She is currently serving as vice president of the New Haven Symphony Orchestra and is on the Board of Long Wharf Theater and the Creative Arts Workshop. Of particular note however, is her part in the production of the first annual International Festival of Arts and Ideas in New Haven. The brainchild of Anne Calabresi, Jean was one of the original founders and key organizers. It was Jean who brought the festival to life and made it a reality that will continue for years. The festival was a truly unique event that exhibited a rich array of talent from storytelling and puppetry to experimental theater. Perhaps the greatest achievement of the festival was the way it showcased the city of New Haven.

Jean has continually focused on promoting art in New Haven while also importing great art into the city. This is one of her focuses in her capacity on the Board of the Creative Arts Workshop. Founded in 1960, the Creative Arts Workshop holds classes for children and adults in everything from pottery and painting to weaving. Every year the workshop sponsors a holiday show that features craftspeople from all over the country. Jean understands that the creative process must involve sharing and communication between artists and she strives to facilitate these exchanges. Never satisfied to be just a name on a committee, Jean has immersed herself in every endeavor she undertakes. She is currently on the Board of Long Wharf Theater and is involved in the search for a new artistic director. She is always looking forward to the future of every organization she patronizes and her vision, time, and talent are invaluable.

I am very proud to join Columbus House in honoring Jean Handley. Jean is committed to keeping the arts vital and allowing the artistic

process to continue to flower in New Haven. Jean is keenly aware that New Haven is nothing without a strong and active artistic community and she has done everything possible to allow that community to thrive. Her work reminds us all that we have an obligation to support the arts and to make art accessible to everyone. She has truly brought the world to New Haven and in doing so has enriched the lives of everyone who participates in or enjoys the arts.

SUPPORT OF ALEXIS HERMAN FOR SECRETARY OF LABOR

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. HILLIARD. Mr. Speaker, I rise today to bring to the attention of this Nation, a recent editorial I read in the largest Spanish-American newspaper in the Americas. *Diario Las Americas*, in their February 27, 1997, edition, called for the confirmation of Ms. Alexis Herman as our next Secretary of Labor. I must agree wholeheartedly with its endorsement, and call on the Senate to confirm her, expeditiously.

As the newspaper points out, Alexis Herman has a lifetime of positive public service, which highlights her efforts to improve the progress and lives of women, African-Americans, and Hispanic-Americans. As the President's Assistant and Director of the Office of Public Liaison, she has shown us her savvy, expertise, and experience. I am also proud to say that she is a native of one of the finest States in the Union, Alabama.

The Senate Republican leader, Senator TRENT LOTT has endorsed her nomination after a series of meetings with Ms. Herman. With this fact taken into consideration, I can't think of any legitimate reason why the Senate can't complete its committee process and bring Ms. Herman's nomination to the floor for a vote. I am confident, that once the whole Senate reviews the record of Alexis Herman, they will confirm her.

Mr. Speaker, I request that the whole text of the newspaper endorsement which I mentioned, be placed in the RECORD.

[From the *Diario Las Americas*, Feb. 27, 1997]
ALEXIS HERMAN FOR SECRETARY OF LABOR OF THE UNITED STATES

The nomination by President Clinton of Alexis Herman for Secretary of Labor of the United States is the recognition of her professional, humanitarian and civic merits, proven by her intense public service career which began as Coordinator of the crusade to train and find jobs for youths sponsored by the Catholic Church in Mobile, Alabama, and most recently as Director of the Office of Public Liaison of the White House and Special Assistant to the President.

Her life in public service has engaged her, after graduating from Xavier University, in a rich and varied number of activities devoted to the professional betterment of Afro-American women, succeeding in her efforts as Director of the Black Women's Employment Program to have companies such as Coca-Cola and Delta appoint Afro-American women to high ranking positions.

In her efforts to improve women's progress in the work and entrepreneurial ranks she has constantly maintained the principle that

the Hispanic minority must be recognized as a vital part of progress in the United States, offering her enthusiastic support to the programs sponsored by the Hispanic Catholic Centers of the Washington Archdiocese. Mrs. Herman has been the main line of communication between His Eminence James Cardinal Hickey and President Clinton for issues having to do with the development of vital social programs for Hispanic and Afro-American minorities.

At the time of the crisis brought about by the assassination of the four "Brothers to the Rescue" pilots by the totalitarian tyranny of Fidel Castro in February 1996, from her post in the Office of Public Liaison of the White House she collaborated with then UN Ambassador Madeleine K. Albright, and others, in the formulation of President Clinton's policy in reprisal to that attack.

Alexis Herman has enough merits as a woman, as a prominent member of the Afro-American minority and as a professional, to be confirmed by the Senate as Secretary of Labor. This would be good for the whole country. The Senate's Republican leader Trent Lott has said that he will support the nomination and *DIARIO LAS AMERICAS* considers that the Senate should approve it as soon as possible.

WILL AN AMERICAN "TOMMY" PLEASE STAND?

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. LOFGREN. Mr. Speaker, Tom Harney, an attorney in San Jose, CA, has written a thought-provoking article in a recent edition of *Stars and Stripes* which concerns the debt we owe our veterans and soldiers. For those who do not regularly receive *Stars and Stripes*, I wish to make this useful article available.

[From the *Stars and Stripes*, Jan. 26, 1997]

WILL AN AMERICAN "TOMMY" PLEASE STAND?
(By Thomas Roy Harney)

Rudyard Kipling's poem "Tommy" rose from the depths of my so-called brain recently, triggered and recalled from those depths by the print-media news.

Tommy, a lawyer's guide to veterans affairs, is the name of the quarterly newsletter published by the Veterans Law Section of the Federal Bar Association, but I had somehow previously failed to make the obvious connection between the poem and the newsletter.

The poem "Tommy" is from a different time, 1892; a different country, Great Britain; and almost a different language, English Cockney; yet it is right on point concerning American veterans and all Americans today.

"Tommy Atkins" or "Tommy" is the British equivalent of the American GI (e.g., Bill Mauldin's Willie and Joe in his popular cartoon series "Up Front"), and "Tommy Atkins" is the speaker in Kipling's poem.

The speaker is calling our attention to the gross disparity in the value that the citizenry places on its soldiers. The unjust disparity he observes is the miserable treatment accorded the soldier and ex-soldier in peacetime, contrasted with their treatment when the winds of war are blowing or, as Tommy puts it, when "there's trouble in the wind."

Kipling's tribute to Mr. Thomas Atkins is relevant today, because in 1996, more than 100 years after it was penned by him, an American "Tommy" wouldn't have to look too far for modern-day American examples to support his disparity contention.

Were he writing today, Kipling's Mr. Atkins could have cited the statement released by Pentagon officials recently that the military logs for an eight-day period during which thousands of American troops might have been exposed to nerve gas and other Iraqi chemical weapons shortly after the Persian Gulf war appear to have been removed or lost and cannot be located despite an exhaustive search.

There are several mysterious gaps in the otherwise meticulous combat logs. The gaps include the period in early March 1991 in which American combat engineers blew up the sprawling Kamisiyah ammunition depot in southern Iraq, an event that exposed thousands of American troops to nerve gas.

One wonders if "Mr. Tommy Atkins" would feel the need to point out that at one time the Defense Department had denied to Congress that such combat logs even existed, and the DoD released the logs last year only after a Georgia veterans group sought them under the Freedom of Information Act.

Only recently has the Pentagon acknowledged that the nerve gas sarin and other chemical weapons had definitely been stored in the Iraqi ammunition depot at Kamisiyah that was destroyed by U.S. troops in March 1991.

That event at the Kamisiyah ammunition depot exposing thousands of U.S. soldiers to a cloud of the nerve gas sarin and other deadly chemicals, poisoning from anti-nerve gas tablets, and poisoning from pesticides are the presumptive sources of the disabling physical health problems that have been plaguing veterans and children of veterans of the Persian Gulf War.

As an attorney, I respect the way Kipling's speaker, "Mister Atkins," makes his case; his supporting examples are clear and visual, his logic is straightforward and his closing line poses a clear point for all Americans to ponder.

The concerned but muted and fragmented chorus of American voices would do well to find a present-day point man like "Tommy Atkins" who, armed with fresh examples to support his disparity contention, could forcefully champion the rights of responsible Americans and blast his closing line to Pentagon officials, the Defense Department, the VA and others—shouting, with the last words of the poem, "Bloomin fools" we're not.

THE SCANDAL-A-DAY ADMINISTRATION

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SOLOMON. Mr. Speaker, as someone who has been looking into the dealings of the Clinton administration related to campaign fundraising, possible breaches of national and economic security and other indiscretions, this past week has been very interesting. It would appear that there is no end to the sheer arrogance and deliberate skirting of the law under which this administration has operated. No law, and certainly no ethical standard, appear to forestall any efforts by this President to further his personal and political interests and those of his associates. From dealings with a foreign company and officials with close ties to the People's Republic of China that likely jeopardized important economic and national secrets, to encouraging meetings at the White House with DNC political fundraisers, major

contributors, and even Federal regulators, this administration has shown a blatant disregard for ethical behavior and the public interest in a democracy.

It would be impossible for me to call attention to all the various scandals unfolding around this administration in a reasonable amount of time. I for one am most concerned with questions pertaining to economic and other forms of espionage on behalf of foreign interests by a host of acknowledged friends and associates of the President. I believe these to be the most serious and most disturbing of the allegations that will ultimately be the focus of the media and the main source of the American people's disgust. But in the case of this administration, it more resembles the old saying "Pick your poison," because there's no telling what may finally be most damaging.

In October 1996 when I started asking questions about Clinton administration policy toward China and Vietnam, I was one of a few who found their associations and behavior suspect. Now, every major newspaper this week has had two and three front-page stories about various indiscretions under President Clinton and by President Clinton. And why is that? It's because there is an unbelievable wealth of information regarding wrongdoing out there. Yet, Attorney General Reno continues to deny the need for an independent counsel. It's hard to believe she's applying the same law we in Congress wrote just for situations like this where it is necessary to remove politics from an investigation. Clearly there is credible evidence of illegal activity and information that links principal figures, that is, President Clinton and Vice President GORE, to these actions.

I urge you, Mr. Speaker, and everyone to take a look at two editorials from the New York Times and the Washington Post on March 5, 1997, that outline another abuse at the hands of the Clinton administration. This one involving speeding up the citizenship process for potential political gain. As you can see from their tone, I'm not the only one who has grown tired of their insatiable political appetite and disrespect for honest government.

The editorials follow:

[From the Washington Post, Mar. 5, 1997]
BURNED AGAIN

On subject after subject, this turns out to be a White House that you believe at your peril. Six months ago, Republicans were accusing it of trying to make political use of the Immigration and Naturalization Service. The charge was that the White House had put the arm on the INS to speed up and cut corners in the naturalization process, the theory being that new citizens would more likely vote Democratic than Republican, and therefore the more of them, the merrier.

The administration responded that there was no way it would do a thing like that, manipulate the citizenship process for political gain, and folks believed it. We ourselves wrote sympathetically that, while "some congressional Republicans suspect a Democratic plan to load up the voter rolls . . . the administration replies that there are good and innocent reasons for [the] increase."

So now, guess what? It turns out the White House was in fact leaning on the INS to hasten the process, in part in hopes of creating new Democratic voters. There are documents that amply show as much. The attempt was described in a lengthy account in this newspaper by reporter William Branigin the other day. It was centered in the office of Vice President Gore, where they do reinventing

government projects. But it wasn't just another reinvention. "The president is sick of this and wants action," Elaine Kamarck, a domestic policy adviser to Mr. Gore wrote in an e-mail last March, the "this" being that the INS wasn't moving people along at the proper speed.

The Republican charge is that, in speeding up the process, the INS made citizens of some applicants with criminal records who should have been barred. The Democratic defense—the current version—is that some of this may indeed have occurred, but not because of political interference. Rather, it was the result of simple bungling. You are told now that you shouldn't take the political meddling in this process—essentially a law enforcement process—seriously not because it didn't happen but because it was ineffectual. Now there's a comfort.

The INS has long been an agency in disrepair. It had and still has a huge naturalization backlog, partly the result of increased applications after the grant of amnesty to certain illegal aliens in the immigration act of 1986, partly now the result as well of last year's welfare bill, which cuts off benefits to immigrants who fail to naturalize. The agency was already trying to cut the backlog, as well it should and if ever there were a candidate for reinvention, it's the INS. So you had a legitimate project until the folks with the hot hands in the White House decided it should be a political project as well, at which point it was compromised.

Some of the worst ideas ginned up in the White House never got anywhere, in part apparently because of stout INS resistance. Nor is it yet clear how many people with disqualifying records were made citizens, nor how much of that was due to political pressure and how much to just plain everyday incompetence. But in a way it doesn't matter. What matters is that once again the political people couldn't keep their distance from a process that should have been respected and left alone on decency-in-government grounds, and then they were untruthful about it. Who believes them and goes bail for them next time?

[From the New York Times, Mar. 5, 1997]

THE LAW ACCORDING TO GORE

We salute Vice President Al Gore's decision to come forward and answer questions about his role in the Democrats' unrestrained fund-raising in 1996. But surely Mr. Gore and President Clinton know that the situation is too messy for the American public to accept Mr. Gore's relaxed reading of the Federal law against soliciting money on Federal property.

Mr. Gore argued that the law does not apply to his calls from the White House since he used a credit card supplied by the Democratic National Committee and was not soliciting Federal employees. The Republicans and some legal scholars seem to think the law actually means what it says, and that Mr. Gore broke it. Whatever the final resolution, Mr. Gore's forthright statement about his actions leaves no doubt that Attorney General Janet Reno has the "credible evidence" of possible law-breaking that she needs to appoint an independent counsel.

Of course, plenty more important evidence already exists, and the need for a thorough airing will only grow in the days ahead. Mr. Gore's undignified phone-athon, however demeaning to him and his office, is not the weightiest matter to be explored. What has to be determined is whether illegal foreign contributions were funneled into the President's re-election effort and whether staff members at the White House and the D.N.C. had knowledge or complicity in such an effort. The political and legislative energies of

this Administration will continue to drain away until those questions are answered.

The extent to which Mr. Gore's admission dented his own Presidential hopes cannot be known immediately. What is clear is the utter tackiness and lack of restraint that prevailed within the reelection councils at this White House. Mr. Gore now bids to be remembered as the Vice President who went a clear step beyond what previous Vice Presidents and Presidents were willing to do. Typically, the party's top officeholders appear at fund-raising events and thank contributors in a general way, but they do not do the arm-twisting themselves. It is demeaning and potentially corrupting for a Vice President to ask directly for money, especially from people with business before the government.

Senior business executives called by the Vice President felt they were being shaken down, and they had a right to think so. Such transgressions against propriety have become a recurrent theme with this Administration. Whatever the final adjudication of its conduct, this White House has time and again blurred lines that other Administrations have drawn between politics and government.

After the disclosures that Democratic National Committee officers and staff members were attending White House meetings and receptions, using White House phone logs and offering the Lincoln Bedroom and other perquisites to potential donors, it should perhaps not be surprising that Mr. Gore felt it was all right to sit in his office and call contributors.

Just once we would like to hear of someone within this Administration's inner financial circle who had the strength, self-discipline and taste to say no. Failing that, most people would settle for an independent counsel to check the Vice President's reading of the law and the legality of the entire Democratic fund-raising operation.

IN HONOR OF JAMES AZARIEL
AND SELINA ANASTASIA
BURNETTE

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SMITH of Michigan. Mr. Speaker, last Thursday, February 27, wife, Bonnie, and I were blessed with two new grandchildren. Their names are Selina Anastasia and James Azariel Burnett. They are the first children of my daughter, Elizabeth Burnett, and her husband, Fred Burnett.

Bonnie and I join James and Selina's other grandparents, Charles and Bonnie Burnette of Rustburg, VA, in welcoming them to the world.

Selina and James, like my other grandchildren, will have a tough time paying back all the money that the Federal Government is borrowing. If we don't change our ways, they will have to pay \$187,000 each over their lifetimes to cover their share of the interest on the national debt.

I ask all the parents and grandparents now in Congress to work with me to minimize the debt that James, Selina and all the other children and grandchildren will have to pay back. If we continue to overspend, their chances for a good job and a high standard of living will be substantially reduced.

DELAURO COMMENDS SISTER ANN
MATTHEW LORUSSO AND WIL-
LIAM IOVANNE FOR THEIR WORK
IN THE COMMUNITY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speakers, on Sunday, October 27, 1996, the American Committee on Italian Migration will honor Sister Ann Matthew Lorusso and E. William Iovanne with the 1996 Community Service Award. I am very pleased to rise today to recognize the great work of the American Committee on Italian Migration and the wonderful contributions to the community made by Sister Ann and Bill. Both of these individuals have deep roots in the New Haven community and have made great efforts to give something back to the city and the people who live here.

Sister Ann has been with the hospital of St. Raphael in New Haven since 1968 and her tenure there has produced unique programs and projects. A dedicated nurse, Sister Ann spent years in nurse management at St. Raphael's because she loved to be with the patients and to work with people. She is now the parish nurse coordinator for the hospital. She oversees an interdenominational program which puts a nurse in synagogues and churches to meet the wellness needs of the congregation. Sister Ann has referred to the program as "community nursing" and she focuses on educational programs to prevent illness and disease. As health care becomes increasingly difficult to access, Sister Ann is heading a program that reaches out to people and makes sure they get the care they need.

In addition to work at the Hospital of St. Raphael, Sister Ann has served on the Mayor's Commission on Aging since 1994. It is in this capacity that she is able to address the needs of the area's elderly. Sister Ann speaks passionately about finding ways to tap into community resources to ensure that our elderly community is provided for. We are very lucky to have such a dedicated educator and advocate working on behalf of the people of New Haven.

This tribute is a most appropriate honor for Bill Iovanne because he is so proud of his Italian heritage and is deeply committed to the Italian-American community here in New Haven. A lifelong resident of Wooster Square, Bill took over the business his father started. His tenure as president of Iovanne Funeral Home has earned him the respect and admiration of many. I have known Bill for many, many years and our families remain closely connected. He has never failed to help families in their time of need. The loss of a loved one is such a trying, difficult time but Bill provides comfort and support to everyone. Indeed, Bill is not only passionately devoted to his own family, he has a reputation for treating everyone like a member of the family.

I am very proud to join the American Committee on Italian Migration as they honor these two remarkable individuals. They have dedicated their lives to working with and for others and I commend them for their commitment to their Italian-American heritage. They make me proud to be a member of the Italian-American community.

TRIBUTE TO FDA COMMISSIONER
DAVID KESSLER, M.D.

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WAXMAN. Mr. Speaker, David Kessler represents the best in public service. He did his job with one purpose: to protect and promote the public health. He did so with unmatched passion, intensity, and courage. Dr. Kessler understood that the Food and Drug Administration is a scientific agency and that politics have no place in the agency's decisions. David Kessler would also be the first to tell you that he could not have accomplished anything without the hard work and dedication of his colleagues at the Food and Drug Administration.

Those accomplishments are significant and are making real differences today in the health and safety of Americans. We now have food labels that give us meaningful information we can use to improve our diets. The agency is approving new medicines at a rate that was unimaginable when he came to the agency in 1990. Today, we are protecting our children against the terrible scourge of the diseases brought on by tobacco use. Dr. Kessler has set the standard for excellence and accomplishment in government. Thank you, David Kessler, for your public service.

TRIBUTE TO AIDA ALVAREZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SERRANO. Mr. Speaker, it gives me great joy to extend my congratulations to Ms. Aida Alvarez on her confirmation to lead the U.S. Small Business Administration.

Ms. Aida Alvarez is the first Puerto Rican woman, also the first Hispanic woman, appointed to a Cabinet position in U.S. history.

Throughout her long and distinguished career, Ms. Alvarez has acquired the experience and expertise that makes her exceptionally well qualified to lead the Small Business Administration [SBA]. "Small business is the heart and soul of the American economy," Ms. Alvarez said during her acceptance speech after President Clinton nominated her to head the SBA.

Ms. Alvarez was born in Aguadilla, PR, and raised in New York City. She learned first hand the importance of small businesses to fulfill the entrepreneurial spirit, build stronger communities, and spur economic growth. While still a high school student, she helped her family by working as a waitress in her mother's restaurant.

After graduating cum laude from Harvard College, she worked as a reporter for the New York Post and Channel Five in New York. Her reporting of guerrilla activities in El Salvador won her an Associated Press Award for Excellence and an Emmy nomination.

Ms. Alvarez held executive positions as an investment banker at the First Boston Corp. and Bear Stearns and, later on, as Vice President of the New York City Health and Hospital Corp.

Ms. Alvarez served as commissioner on the New York City Charter Revision Commission,

member of the Governor's State Judicial Screening Committee, and as a member of the Mayor's Committee on Appointments. In addition, she has served on numerous boards including, the National Hispanic Leadership Agenda, the New York Community Trust, and the National Civil League.

Prior to her confirmation as Administrator of the SBA, President Clinton appointed Ms. Alvarez to head the newly established Office of Federal Housing Enterprise Oversight [OFHEO] in 1993. At OFHEO, she implemented regulations to insure the financial safety and soundness of the two largest housing finance institutions in the Nation—the Federal National Mortgage Association [Fannie Mae] and the Federal Home Loan Mortgage Corporation [Freddie Mac]. Her leadership is characterized by efficient management.

Mr. Speaker, I ask my colleagues to join me in commending Ms. Aida Alvarez for her outstanding achievements and in wishing her continued success as Administrator of the Small Business Administration.

TRIBUTE TO WILLIAM
MACLAUGHLIN

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SHERMAN. Mr. Speaker, Mr. BERMAN and I are honored today to pay tribute to Judge William MacLaughlin who last week was named 1997 Judge of the Year by the San Fernando Valley Bar Association. Judge MacLaughlin has a reputation among his co-workers as a fair, hard-working judge who brings a common sense approach to the bench. Throughout his life he has shown exemplary service to his country and community.

Mr. MacLaughlin received his bachelor's degree and law degree from Yale in 1957 and 1960 respectively. After passing the bar exam he joined the U.S. Army first in a full-time capacity and later as a reservist, attaining the rank of captain in 1969. He then entered the legal profession, quickly becoming a partner in the firm Stone & Davis. Later in his career Mr. MacLaughlin went into practice on his own. Representing both plaintiffs and defendants, his years as an attorney saw him focus on personal injury, business, construction, and environmental areas of law. After many years and a well respected tenure as an attorney, he was appointed by Gov. Pete Wilson to the Los Angeles superior court.

In January 1992, Mr. MacLaughlin took his position on the bench. In the 5 years since, he has earned the respect of colleagues and co-workers alike as a hard-working and conscientious judge. Judge MacLaughlin is known for, among other things, conversing at length with prospective jurors, clearly explaining their role and how they fit into the larger process. When dealing with conflicting parties in a case he has commonly been known to encourage them to work together toward a solution, recognizing that a resolution reached through compromise is better than any decision imposed upon them. The judge's reputation for common sense, middle-of-the-road rulings

have earned high praise from numerous attorneys who have entered his courtroom.

Mr. Speaker, I ask that you join me and our colleagues in recognizing the accomplishments of Judge William MacLaughlin. Truly, his even-handed administration of justice is an example to us all.

TRIBUTE TO WILLIAM KATZBERG

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. DEUTSCH. Mr. Speaker, I rise today to recognize William Katzberg for being honored by the Middle East Network on the occasion of his 1,000th weekly, consecutive column for the Jewish Journal. For the past 20 years, William Katzberg has provided his readers fair and objective literary works on issues relating to Israel and the Jewish community. His journalistic contribution stems from his dedication to straightforward journalism and enduring love for the State of Israel.

In 1987, the Middle East Network in south Florida, formerly known as the Committee for Accuracy in Middle East Reporting in America, was concerned about erroneous news reports the American public was receiving regarding the Arab Infatada. The media reporting from the Middle East had fabricated the news in an attempt to capture America's interest in the battle transpiring in the Middle East. The media's deception was widely considered as a war of information—a war as devastating as the war being fought between Israel and the Arabs because it was turning world opinion against Israel. The Middle East Network held an organizational meeting to put an end to the fictitious news reports and generate fair and impartial reporting regarding Israel. William Katzberg was an invited guest because of his journalistic integrity and support of Israel. He immediately recognized the grave impact of the deceptive reports and called on the Jewish Federation of Greater Fort Lauderdale to help promote accuracy in Middle East reporting.

Over the years, William Katzberg has written a great deal about Israel and the Jewish community. His column appears in the Jewish Journal, and, on occasion, in the Miami Herald and the Fort Lauderdale Sun-Sentinel. He has become quite popular among residents in south Florida as a media journalist, a speaker, and a leader. In addition to his column, William Katzberg has helped organize mass meetings for the Middle East Network, has acted as a meeting moderator, and has produced a series of documentary films on Israel including: "Israel Under Siege," "the Hope, the Struggle, and the Miracle," "From Ellis Island to Jerusalem," and "Israel, Between Terror and Peace." These films have been shown to synagogues, churches, and colleges and universities in south Florida to help increase awareness of Israel and her people.

William Katzberg remains actively involved in the Jewish community in south Florida. He is a member of the board of directors and on the executive advisory community of the Jewish Federation of Greater Fort Lauderdale. Through his involvement at the federation, he has helped to raise hundreds of thousands of dollars for the United Jewish Appeal. He also participates in leading group trips to Israel for

the Jewish Federation of Greater Fort Lauderdale and for the Temple Beth Torah, where he is also a member of the board of directors. His activity in both Jewish affairs and journalism has earned him a seat on the Jewish Telegraph Agency Board of Directors as well.

I wish William Katzberg the best on receiving this prestigious honor from the Middle East Network. I know he will continue to be an effective voice and journalist for the Jewish community in south Florida and in Israel.

THE CONSERVATION RESERVE PROGRAM FLEXIBILITY ACT

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MORAN of Kansas. Mr. Speaker, I rise today to urge my colleagues to support legislation regarding one of this Nation's most important and effective conservation programs, the Conservation Reserve Program.

Under the Conservation Reserve Program Flexibility Act, H.R. 861, producers whose contracts expire and whose bids to re-enroll are not accepted under new USDA rules for the CRP, will be allowed to extend, for up to 1 year, their existing contracts at the county-wide rental rate as established under the new enrollment criteria.

In Kansas, the Conservation Reserve Program protects 2.9 million acres of environmentally sensitive land by encouraging farmers to dedicate this land to conservation use. Contracts covering almost 2 million acres of Kansas CRP land will expire by September 31, 1997. Unfortunately, the timing of the U.S. Department of Agriculture's rulemaking process does not always coincide with needs of farmers. For producers of fall crops, like winter wheat, the enrollment decision date is simply too late.

This legislation would allow producers to explore the full range of grazing and cropping options as they bring their CRP land back into production. Due to extensions over the last 2 years, contracts representing nearly 22 million acres of this program are now expiring at once. At this point, we do not know exactly what land will be accepted, but it is estimated that 20 to 25 percent of the currently enrolled acres will not even be eligible. This represents around 4 million acres that we know will not be in CRP and will be back into production.

Mr. Speaker, adding 4 million acres into production with a limited range of planting options could be disastrous. This sort of market disruption can be avoided if we allow producers across the country to explore all of their options on how to bring this land back into production.

There are several important realities that this bill acknowledges. Under this legislation, the enrollment cap is not changed. As sign-up progresses, 36.4 million acres will still be the statutory limit on acres in the program. Even with the continuous enrollment for filter strips, riparian areas, and other high-priority areas, the current enrollment is only 32 million acres. Allowing a 1 year extension would not limit sign-up of new acres going into the program.

Another important factor is the payment rate. Under this 1 year extension, the payment will be either the new enrollment rate or the

current rate, whichever is lower. This bill is not designed to give farmers the incentive to extend for 1 year at a substantially higher rate, it is designed to keep CRP benefits enrolled in a cost-effective manner and allow for an orderly return of this land back into production.

Mr. Speaker, massive changes have occurred in this Nation's agricultural programs within the last year. With any program changes, a smooth transition is both necessary and desired. This legislation will allow producers to make sound, market-based decisions as they bring their land back into production. Again, I urge my colleagues to join me in supporting this much needed legislation.

DELAURO HONORS SAGE SERVICES OF NEW HAVEN

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Friday, October 25, 1996, Sage Services will celebrate its 25th anniversary. The organization serves people over the age of 55 with a number of different programs. I am delighted to rise today to honor Sage Services and to recognize the important work they are doing.

The mission of Sage Services is twofold. The organization aims to enable older people to maintain their independence, to continue to develop their skills and abilities, and to help them feel that they are valued members of the community. In addition, Sage Services educates the community to value older people, to benefit from their contributions, and to understand and address the concerns and issues older people face.

Sage Services provides a number of valuable job training and job placement programs. The organization is committed to keeping the skills older people possess up to date. For example, several computer training classes are offered which teach word processing, keyboarding and data base, and spread sheet skills. I can imagine that it gives participants a great deal of self-confidence and self-esteem to be able to keep up with the information age and the proliferation of computers.

Sage Services also offers all sorts of job placement programs. Older people are hired by local businesses for everything from office work to repairs and maintenance work. I am so pleased to see local businesses working with the organization because older people have so much to offer. If we do not reach out to them we are losing a great resource. Their talents, abilities and experiences remain relevant to the job market and it is to our advantage to tap this resource.

In addition to these great programs, Sage Services links older people with all sorts of services and assistance. I am impressed with the Sage Home Share Program which helps people remain in their homes by putting them in touch with someone who is in need of housing. Older people receive companionship and assistance and those sharing housing are able to find reasonably priced housing. I think this program goes to the heart of what Sage Services is all about; people helping each other. Sage Services keeps the idea that we are all family and we are all responsible for each other at the heart of everything it does.

I am proud to have this opportunity to congratulate Sage Services and to recognize all those who work there or volunteer their time to helping others. They are truly making an incredible difference in the lives of so many people. Sage Services is a remarkable organization and I commend everyone involved for making it such a success and for ensuring that our older citizens remain active, independent, and that they are valued by the community.

CONGRATULATING PEOPLE OF
GUATEMALA ON SUCCESS OF RE-
CENT NEGOTIATIONS TO ESTAB-
LISH PEACE PROCESS

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join my fellow colleagues from both sides of the aisle in support of House Concurrent Resolution 17, congratulating the people of Guatemala on the success of the recent negotiations to establish a peace process for Guatemala.

On December 29, peace accord ended 36 years of civil war the Government negotiated directly with the rebels.

The United States over the last 6 years participated in the peace negotiations for Guatemala as a member of the Group of Friends in conjunction with Norway, Mexico, and Spain. The group supported the work done by the United Nations to broker a peace in that war torn country. In this regard, the Guatemala peace accord is both a United Nations success story and an example of the benefits of sustained United States diplomatic engagement.

The peace accord includes the creation of a commission to implement a wide range of reforms to the political, economic, social, and judicial systems of Guatemala, including an enhanced respect for human rights and the rule of law, improved health and education services, attention to the needs of refugees and displaced persons and the role of the military in a democratic society.

Lasting peace, political stability and economic development in Guatemala is in the best interest of all nations of the Western Hemisphere, therefore, we should all be hopeful at these accomplishments made in the name of peace for the Guatemalan people.

LET ME LIE WITH SOLDIERS

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. BARR of Georgia. Mr. Speaker, today, I wanted to submit the following poem as it was read by its author at the annual POW/MIA Candlelight Ceremony March 2, 1997, held at Dobbins Air Reserve Base in Marietta, GA. The poem is entitled "Let Me Lie With Soldiers," by Lt. Col. Clyde M. Reedy, U.S. Army (retired), Vietnam 1963 and 1972.

LET ME LIE WITH SOLDIERS

Let me lie with soldiers when God my spirit
calls. Let me walk with warriors down
heaven's hallowed halls.

Please bury me with soldiers, and let my
spirit soar with kindred souls with
whom I shared the brotherhood of war.
Yes, lay me down with soldiers in con-
secrated ground, made holy by their
sacrifice, and bravery without bound.
It matters not the color of the uniform they
wore, nor who sounded loud the trump-
pet that summoned them to war.

It matters not their era, nor weapons which
they bore, nor banner which they fol-
lowed into that hell called "war."

Abdullah Ivan, Hoang or Heinz, their
names??? . . . I do not care. The tie
that binds us all as one: the horrors
that we shared.

The color their skin counts not, be it yellow,
black or brown. For all of us are broth-
ers up in God's holy ground.

The cause for which they struggled, that also
matters naught. For when we're all in
heaven none will ask for whom we
fought.

And though our bodies crumble once are
souls have gone on high, let memory of
our sacrifices never never die.

Yes, let me stand with soldiers, hand-in-hand
on heaven's shore, and gaze together on
our homes Forever free of war.

This poem captures both the sadness and
pride of America's fighting men, as well as the
hope of every soldier: that the war they fight
will be the last. It is an eloquent testimony to
America's MIA's and POW's, who we must
never forget.

TRIBUTE TO JOHN MAJOR

HON. BRAD SHERMAN

OF CALIFORNIA

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SHERMAN. Mr. Speaker, Mr. BERMAN and I are honored today to pay tribute to Judge John Major who last week was recognized by the San Fernando Valley Bar Association with the Distinguished Service Award. When Mr. Major recently stepped down from the bench, our area sustained the loss of an individual that went out of his way to make the courtroom a place where both litigants and defendants were at ease and justice was served in a way that was best for all involved.

Mr. Major's early career involved a period in the Army and work in the aerospace industry. As John's professional career developed, his interest in government and law increased, leading him to enroll in law school. John's time at UCLA School of Law was difficult, as he was forced to balance school and work while holding down three jobs. Even with these adversities, John's determination to become a lawyer only increased. He completed his final 2 years of study on his own at night while working full time. He saw the fulfillment of his dreams in 1957 when, on his first attempt, he passed the California bar exam. The obstacle he overcame in his time studying law affected his later career as a judge. Whenever he saw people struggling, he told them, "you can accomplish whatever you choose to in life."

As a young lawyer, John worked for the Legal Aid Society in Santa Monica for 2 years. Shortly after that he opened his own practice that he maintained for 12 years. His career changed when he took a case defending a

minor he enjoyed the tremendous positive impact he had on the young man's life. In defending the youth of our area, John found a challenging and rewarding career. Through his endeavors he became a juvenile court referee and eventually was appointed a Superior Court Commissioner. As a commissioner he worked in almost every juvenile court in Los Angeles County.

In 1984, Mr. Major was appointed to the superior court bench by Governor Deukmejian. His years on the court were his way of leaving a positive impact. According to many attorneys, he put people at ease with his humor and easy going demeanor. In handing down decisions, Judge Major did not hesitate to take into account the particular circumstances, at times straying from the usual sentence, especially in dealing with young people. The judge's calming influence and experience in dispute resolution will be sorely missed as he is an excellent communicator with a gift of engendering himself to all sides in a dispute.

When Judge Major stepped down from the bench last week, our community sustained a substantial loss. The effects of his service have reached well beyond the courtroom, as he has had a tremendous positive impact on the surrounding community. The legacy of his work will continue on for years to come in the lives of the many individuals he touched.

SUPPORT THE UNITED NATIONS

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. ESHOO. Mr. Speaker, today I rise to introduce a concurrent resolution expressing the sense of Congress that the United States will continue its leadership in the United Nations by honoring the financial obligations to that institution.

Everyone agrees that United Nations is in need of reform. In fact, Joseph Connor, the Undersecretary for Administration and Management, announced yesterday that the U.N. budget will come in under its estimated 1998 budget, and the 1997 budget was a cut from the previous year.

But, if the United States continues to be a global deadbeat, the United Nations will lose its ability to carry out missions important to American foreign policy, such as promoting human rights, controlling the proliferation of weapons of mass destruction, spreading democracy, and preventing global conflicts.

The United States was a founding member of the United Nations. Throughout its half century of existence, through times of war and peace, the United Nations has stood as a pillar of stability. That is why Republicans and Democrats alike have supported not only its existence but American financial obligations. Now 61 percent of arrears to the United Nations are owed by the most powerful Nation on Earth. This is wrong. We can't allow short-term thinking in Congress to jeopardize our long-term security.

Please join me in sending a strong message to the world that the United States will lead and the United States will keep its word.

TRUCKER BUDDY INTERNATIONAL

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WELLER. Mr. Speaker, I rise today to recognize a nonprofit organization known as Trucker Buddy International.

Trucker Buddy International is a program that matches truck drivers with school classrooms as pen pals who share their respective experiences through regular correspondence and classroom visits. The program gives students a real world look at the country through the eyes of professional truck drivers who visit places and see things which they share with students through letters and picture postcards. By tracking routes and schedules, a teacher can incorporate important lessons in geography, history, math, and more into the existing curriculum. Students also improve their communications skills by writing back to their trucker buddy. As an extra tool to benefit the teacher of each class, Trucker Buddy has created the Literary Achievement Award. Each teacher will receive a Literary Achievement Award to present to the student who has improved his or her writing skills the most.

The Trucker Buddy Program was created in 1992 by Gary D. King, a professional truck driver who first started corresponding with a fourth grade class in Williams Bay, WI. Today, Trucker Buddy has nearly 5,000 drivers matched with classrooms throughout North America and in several foreign countries.

I would like to commend the Trucker Buddy Program for taking a special interest in our children and their education.

DELAURO HONORS TIMOTHY SHRIVER FOR HIS WORK WITH THE SPECIAL OLYMPICS

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Thursday, November 14, 1996 Columbus House will have its annual benefit. This year the benefit is entitled "It's a Small World" and is honoring two individuals who have given an extraordinary amount of themselves to the city of New Haven; Jean Handley and Timothy Shriver. Tim's work embodies the theme of this year's benefit which is bringing the global community to the city of New Haven. I had the pleasure of working with Tim last summer when the 1995 Summer Special Olympic Games were held in New Haven.

The 1995 games were the most successful world games in the 27-year history of the Special Olympics and had the added benefit of spotlighting the best that New Haven had to offer. I want to thank Tim for his great efforts on that project. His work enabled the city to shine and draw the national attention it so richly deserves. This past June, Tim was elected president and chief executive officer of Special Olympics International. I know that Tim offers Special Olympics International the vision, enthusiasm, and commitment to lead the organization into the 21st century.

Tim has spent most of his life working in education and promoting the development of

children and this background makes him particularly well-suited for his new position. Tim is an educator who cares deeply about children and has made a commitment to improving their lives. He has been an administrator and teacher in the New Haven Public School System and, prior to working with the Special Olympics, Tim was the supervisor of the New Haven Public Schools' Social Development Project. The project was an initiative he began in 1987. Tim's expertise in the area of education, and the social and emotional development of children enable him to bring a distinct perspective to his work for the Special Olympics.

Tim is devoted to the Special Olympics movement and has a keen understanding of the meaning, mission and spirit of the organization. At the heart of the Special Olympics is a belief that all athletes deserve a chance to push past their own limitations and to excel. The games gives these individuals an opportunity to explore their capabilities and to reach their potential. I know that under Tim's leadership, the Special Olympics will continue to flourish and to offer so many athletes an experience they will remember for a lifetime.

I am proud to join Columbus House in honoring Tim Shriver. His work should serve as an example to us all that we can make an important difference in the lives of children with special needs. The Special Olympics also make us aware of the value, potential and uniqueness of every person.

CONGRATULATING PEOPLE OF NICARAGUA ON DEMOCRATIC ELECTIONS SUCCESS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to state my support for House Concurrent Resolution 18, congratulating the people of the Republic of Nicaragua on the success of their democratic elections.

The road to peace for the Nicaraguan people has been difficult and the path to democracy froth with conflict.

On October 20, 1996, 15.7 million ballots, 32,000 candidates, 35 political parties or associations express the wish of the Nicaraguan people for democracy. The ballots cast represented between 80 and 90 percent voter participation.

The elected positions ranged from President to city council members.

The Supreme Electoral Council of Nicaragua worked tirelessly to prepare for this election. The Chair and members of the Council showed a willingness to consult frequently and effectively with the political parties to resolve potentially serious issues before election day.

The Nicaraguan people deserve our congratulations for their patience during this long process and their determination to have democracy rule their country's destiny.

I hope that this election will pave the way for further achievements in the form of resolving the pending property issues which have resulted from appropriation of thousands of homes and businesses during the 1980's.

The Nicaraguan people have made the first step toward a stronger more vibrant Nicaragua for the 21st century.

TRIBUTE TO ROBERT E. PERKINS, JR.

HON. BILL MCCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MCCOLLUM. Mr. Speaker, I rise today to recognize 25 years of outstanding national service by Mr. Robert E. Perkins Jr., Director of Government Affairs for the Greater Orlando Aviation Authority, and to wish him well in his upcoming retirement.

For the past 25 years, Mr. Perkins has been an asset to both the public and private sectors of customs relations and aviation administration. His Federal career began in the U.S. Air Force Strategic Air Command during the Vietnam conflict. He served his tour of duty at the former Pine Castle Air Force Base which is, coincidentally, now the site of Orlando International Airport.

During the late 1960's and early 1970's, Mr. Perkins served with the White House Press Corps and the Military Customs' Inspection Programs for the Department of Defense. His service for the Department of Defense encompassed all services in Vietnam, Guam, Taiwan, Thailand, the Philippines, and West Germany. In addition, Mr. Perkins served as Treasury Department representative for Operation Homecoming in the Philippines in 1972.

Mr. Perkins continued his distinguished public service at Orlando International Airport. During his tenure, he witnessed its designation as a port of entry in 1976 and its original international clearance facility construction in 1979. He concluded his customs career in 1986 as district director in Tampa, FL, where he supervised the customs operations for the entire 57-county Florida area.

Following his retirement from Federal service, Mr. Perkins entered the private sector as a law enforcement systems specialist. In 1989, he became executive director of Tampa Foreign Trade Zone, Inc., working to increase the foreign trade zone program in the Tampa Bay area.

In 1991, he joined the Greater Orlando Aviation Authority as Federal Agency Administrator and was quickly promoted to Director of Governmental Affairs in 1993. As Director of Governmental Affairs he was the link between the Authority and government officials at all levels. Through his hard work and perseverance, he made GOAA's voice heard as important legislation, funding, and operational programs affecting the aviation industry were implemented.

Mr. Perkins has been a truly integral part of the Customs and aviation industries. He will undoubtedly be greatly missed. So, today I ask my colleagues to join me in salute of this exceptional man. I am sure that I speak for all when I wish him well in his well-earned retirement.

DEMOCRACY—ABOVE AND BEYOND

HON. BILL BARRETT

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. BARRETT of Nebraska. Mr. Speaker, I have received the following script, by Sarah Brozek, a fine young Nebraskan. Sarah is the Nebraska winner for the Voice of Democracy broadcast scriptwriting contest, conducted by the Veterans of Foreign Wars and the Ladies Auxiliary. I believe her statement on the costs and obligations of living in a free society are important for us to consider:

DEMOCRACY—ABOVE AND BEYOND

(By Sarah Brozek)

As Edmund Burke once said, "The only thing necessary for the triumph of evil is for good men to do nothing."

As citizens of democracy, we are compelled to take action against that which threatens our freedom. Democracy, as opposed to any autocratic style of government, depends upon that voluntary responsibility and sacrifice of its citizens, unlike other forms of government such as totalitarianism, communism and socialism which take away the responsibilities of its citizens and create dependency, instead of independence.

Therefore, as citizens of the United States, it becomes essential to rise above the mere act of belonging to a great nation. We must move beyond settling for privileges and forgetting our principles. We must be responsible enough to take action above and beyond those that satisfy our own self-serving needs. It is not enough to say our pledge to the flag and say we love our country. It is not enough to simply label our form of government as a democracy. It takes action on the part of each individual: voting, standing up for the principles we hold dear, taking responsibility for others who may be oppressed. Democracy involves moral decisions. It pursues a positive hope for the future. It implies a trust in the general integrity of men and women. It cannot survive without sacrifices. There must be a sacrifice of will: that of abiding by the majority rule. This does not mean sacrificing the integrity of self. It means taking a stand of principle on each occasion. Blind allegiance is useless to a strong, democratic country.

There must be a sacrifice of income. A democracy needs the support of its citizens. Because democracy does involve moral decisions, we must have the means to care for our people, especially those less fortunate and needing our care.

Democracy also demands a sacrifice of our time. If we let someone else do all the decision making, and let someone else serve our cities and counties, we abdicate our right to be included as a part of the majority and lose our role in our own future. It is necessary for each person to title his or her time to a community service, on a local, state or national level in order to remain aware of current events and to get all the jobs done that need to be done. It also requires a sacrifice of our time to follow and understand national and international events since we are part of the greater world and one of the world leaders. It takes informed choices to make a democracy work.

Democracy can require a sacrifice of life, sometimes. America was built on people fighting for their values and beliefs. From the revolutionary war to the present, we have had citizens who believe so strongly in the ideals of democracy on a personal level that they have willingly taken arms and laid down their lives to defend those ideals. An

ideal not worth fighting for is easily trampled by others. We could lose everything without lifting a finger. As Americans we have the privilege of taking a stand for what we believe in.

We can sit on our couch and rant and rave against our politicians, but not walk across the street to vote for the one we think will be most effective. We can complain and bemoan our taxes, then curse the condition of the roads and the lack of current technology for our children to learn on at school and never volunteer to help in any community endeavor that has lost funding. We can cry at the rising criminal statistics and yell at the people whose job it is to protect us, but when asked to help in neighborhood watches or attend community meetings to help take a stand against drugs and crime we say we're too busy and what do we "hire these people for anyway?" And when we're sitting on our couch and our country is at risk, but we expect someone else to take care of it, we should not be surprised when everything we took for granted disappears in a moment. And the only one we can blame is our self. I am one of thousands who would share the blame. Democracy takes the effort of all of us. We must hold ourselves accountable. That is the heart of effective, living democracy.

Democracy is not just a noun. It is not just an object to be placed on a pedestal and dusted off any time we feel a little patriotic. Democracy is not only an adjective, just a pretty sounding word that makes us feel superior and smug when we say it. Democracy is a verb. It is action, involvement, doing and saying. It is time, and talents and great effort. It is constant reinforcement and participation. It is vitality and battle. It is continuous work in progress. As Abraham Lincoln said in the Gettysburg Address, an "unfinished work which they who fought here have thus far so nobly advanced."

HONORING JOSHUA TRENT, VFW
AWARD WINNER

SPEECH OF

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Mr. GORDON. Mr. Speaker, each year the Veterans of Foreign Wars of the United States and its ladies auxiliary conduct the Voice of Democracy broadcast scriptwriting contest. This year more than 109,000 secondary school children participated in the contest competing for the 54 national scholarships which were distributed among the 54 national winners. The contest theme this year was "Democracy—Above and Beyond."

I am proud to announce that Mr. Joshua Trent from my 6th Congressional District in Tennessee won the 1997 Voice of Democracy broadcast scriptwriting contest for the State of Tennessee. Like myself, Joshua is a resident of Murfreesboro, TN.

Joshua's script exudes the spirit of enthusiasm that beckons us to feel as he does about our great Republic. That Joshua has attained such a zeal and been blessed with the talent to convey his feelings, speaks well for his future as a leader in America.

For the benefit of all, I would like to share Joshua's award winning script with you at this time.

1996-97 VFW VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM—TENNESSEE WINNER JOSHUA TRENT

Democracy: Above and beyond!

Man, what kind of assignment is this? Teacher say to write a paper on "Democracy: Above and Beyond". What in the world does that mean?

Come: I will show you. Huh?! Who said that? Me. Who are you? What are you doing here?

I am the spirit of democracy, I am answering your question. I will show you what "democracy—above and beyond" means.

Look pal, I don't know who you are, but you'd better just go back to wherever you * * * where am I? WWWhas goin' on? Wwhat did you do?

Look, tell me—who are those men?

It looks like two pictures of—oh my! That looks like Thomas Jefferson and Ben Franklin—and they're real! Hey! Fellas! Can you see me?

Quiet! No, they cannot see you, only you can see them. Listen to what they are saying.

Franklin: "Congratulations Thomas! You drafted an excellent piece of work! I especially like the part of um * * * 'We hold these truths, * * * Would you mind reading that part again?'"

Jefferson: "Certainly. I am honored that you think it is good Mr. Franklin. Ahem! 'We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.'"

Franklin: "Jefferson, you've got a point. That is what it's all about. All men created equal—all men having a say in government—all men having equal chances in business. Democracy, as you know, means 'rule by the people'. That's the idea. Common sense people running the government, not King George or anyone else."

Come, we must go now, we have more stops to make before our journey is over.

Hey, that's pretty neat! That was Ben and Tom just chattin away, and dude, they were * * *

You are missing the point. What did you learn?

Learn? Uh, well * * * Democracy means that people are level—equal—and that they rule, not some far off king.

Good. Do you see where we are now?

Why we've changed again! How do you that? Man, if I could do that . . .

Look where we are.

I see where we are, but I don't know where this is. We're in some sort of a balcony, and there are a bunch of guys in suits down there, and there is a big American flag over there. Where are we?

We are in the balcony of the House of Representatives—in Washington, DC, you are going to learn your next lesson on democracy. Listen, your Congressman is getting ready to speak.

Cngrsmn: My fellow congressmen, the Democratic style of government which we have, has provided us with over 200 years of political, social, and economic success. True, we have had our differences, disagreements and difficulties, but this system of: government by the people, free enterprise, and the idea that "all men are created equal" has propelled us to become a world super power, and has given us the title of the "greatest nation on earth." But democracy is more than American success, it is a form of government where people have freedom. It is not bound by racial or national lines, so I urge you to vote for this bill.

We must leave now. Catching on?

Hey, I just realized something. Democracy isn't limited to us! Yeah, other countries are democracies, too. Democracy has helped us succeed, and I guess that was why he wanted them to vote for that bill—so other people could succeed under democracy too!

Here we are back at your house. Tell me what "democracy: above and beyond" means.

Wait a minute! We've seen democracy in the past and in the present, so what about the future of democracy?!!!

You determine tomorrow—the future of democracy. You are tomorrow's leaders, voters, and elected officials. Now, tell me, what did you learn?

Okay. I learned that Democracy literally means "rule by the people", and because of that fact, each vote counts, each man (or woman) matters, and every voice can be heard. Because the basic foundation to democracy is that "all men are created equal . . .", democracy is above national lines and beyond racial boundaries. "Democracy: Above and Beyond" means that democracy is above and beyond other forms of government. Democracy doesn't mean we don't have problems, but we can meet those problems head-on. Democracy in America started with our founding fathers and has given us national success. But, we are responsible for its success tomorrow. I guess that's it.

Good job. You did listen. I must go now.

But where will you be if I need you again?

As the spirit of democracy, I am alive in each American and every person in the world who yearns for government by the people. You'll be okay, just keep "democracy—above and beyond!"

ORGAN DONATION

HON. GEORGE R. NETHERCUTT, JR.

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. NETHERCUTT. Mr. Speaker, between now and the end of June, the Treasury Department will be including information on organ donation with each tax refund check it mails.

I was proud to support the Health Insurance Portability and Accountability Act last year which directed the Treasury Department to provide this information with tax refund checks.

This information educates Americans about organ donation and makes it easier for people to become organ donors. It has the potential to save thousands of lives—and at minimal cost to the Federal Government. Once someone has learned about organ donation, all he or she needs to do is fill out the card and discuss the decision with his or her family.

Currently, over 50,000 Americans are awaiting organ transplants. Eight people die every day because an organ is not available. Hundreds of thousands of others could also benefit from tissue transplants and many Americans are not aware how they can become organ donors. By learning about the opportunities, individuals can, in the unfortunate event of a fatal accident, have their organs used to save someone's life.

Sometimes, we can save a life while we are still alive. For example, I have made a decision to be a bone marrow donor. When I learned that a friend of my daughter, Meredith, had a potentially fatal bone marrow disease, I had my own bone marrow tested. While there was not a match, I am keeping my bone marrow type on file should another person with a life-threatening illness requiring a transplant have a similar bone marrow type to my own. To save that person's life, all that would be required of me would be to have a small amount of my own bone marrow taken for transplant.

I encourage others to become donors, whether of organs, bone marrow, or even

blood. Although easy to make, this is an important decision, and I encourage people considering it to do as I have done and sit down with their families and discuss their decision. This way, a person's family becomes aware of a donor's intentions.

I hope that by including information on organ donation with tax returns, we will remind people of the life-saving possibilities of becoming an organ donor. To become a donor is as simple as filling out a card. But, as simple as that is, the implications are tremendous. You could give someone with a life-threatening illness a new lease on life.

The inclusion of these cards with tax refunds should serve to remind us all of the importance of organ donation. It only takes a small effort to make a great contribution.

IN HONOR OF PATRICK O'KEEFFE, A DISTINGUISHED GENTLEMAN NAMED IRISHMAN OF THE YEAR

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a distinguished gentleman, Patrick O'Keeffe, who was named Irishman of the Year by the Jersey City St. Patrick's Day Parade Committee. He will be honored at the committee's annual dinner dance on March 7, 1997 to be held at the Quality Inn in Jersey City.

Friday's festivities will celebrate the many contributions Mr. O'Keeffe has made to his family, community and his fellow Irish-Americans. His journey began in County Clare, Ireland where he was born on March 7, 1926. In his beloved native Ireland, Mr. O'Keeffe received his early education in a one-room schoolhouse. Later, his learning would continue under the direction of the Christian Brothers.

In 1957, the American leg of Mr. O'Keeffe's journey began when he immigrated to the United States, where he settled in what is now my district in Jersey City. Subsequently, Mr. O'Keeffe would marry and become the proud father of eight children: Michael, Margaret, Patrick, Brian, Sean, Noreen, Nuala, and Brendan. Mr. O'Keeffe has instilled a love of Irish music, dance, and literature in each of his children. They have come to exemplify Mr. O'Keeffe's motto: "It's nice to be important, but it's more important to be nice."

In addition to his devotion for his family, Mr. O'Keeffe has exhibited an unwavering commitment to fellow community members as well as all Irish-Americans. Although he is an American citizen, Mr. O'Keeffe's heart will always take him back to his roots on the Emerald Isle. For many years, he has been working toward a united Ireland. Toward this goal, Mr. O'Keeffe has joined a number of organizations, including the United Irish Counties Club of Hudson County, the Irish Immigration Reform Movement, and the Irish American Unity Conference.

It is an honor to have such an outstanding and caring individual living in my district. Patrick O'Keeffe is a true community leader. I am certain my colleagues will join me in honoring him.

CARM COZZA COACHES FINAL GAME AT YALE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DeLAURO. Mr. Speaker: On November 16, 1996, coach Carmen Cozza will coach his final home football game at Yale University against the Princeton Tigers. This day will be proclaimed Carm Cozza's Day in recognition of the contributions he has made to Yale University and the game of football. I am very pleased to rise today to honor Carm and to recognize his great coaching accomplishments.

Carm has followed in the footsteps of another great coach and player. Walter Camp is both the father and founder of American football and was the first Yale University football coach. Carm has the impressive distinction of surpassing Walter Camp's win total at Yale in 1976. Carm's record speaks for itself. Under his leadership, the Yale Bulldogs won the Ivy League in 1967–69, 1974, 1976–77, 1979–81, and 1989. Indeed his achievements have brought him some well-deserved recognition. He was named the winner of the 1995 George C. Carens Award by the New England Football Writers Association for his outstanding contributions to New England football. He also won the 1992 Distinguished American Award by the Walter Camp Football Foundation. Carm has distinguished himself by becoming the coach with the most wins in Ivy League history.

However, all of Carm's wins do not say as much about him as the wonderful feelings and memories his former players and colleagues have for him. Everyone who has known or worked with Carm remarks about his integrity, his class, and his respect for and love of the game. What is most indicative of Carm's tenure are the things that he is most proud of. Carm boasts that 99 percent of his players have graduated and he likes to claim that he is the best premed, prelaw coach in the country. He truly cares about his players and is as proud of their academic achievements as he is of their athletic accomplishments. Carm imparts a reverence for the game, a sense of discipline, and the meaning of sportsmanship to all the players he works with. These are his legacies to the Yale University football team.

I am proud to join Carm's family, his wife Jean, his colleagues and his past and present players in saluting a lifetime of great coaching. Carm's vision, leadership, and enormous talent are his parting gifts to Yale and to the game of football. Yale has been truly blessed during his time there with a coach who cares deeply for the game and all those who play it. I wish Carm and enjoyable retirement and the very best during his final games at Yale. He will be greatly missed.

INTRODUCTION OF THE CIVIL RIGHTS PROCEDURES PROTECTION ACT OF 1997

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MARKEY. Mr. Speaker, I am proud to join today with Representative CONNIE

MORELLA and a bipartisan group of colleagues to introduce the Civil Rights Procedures Protection Act of 1997. This bill is designed to reassert workers' rights to have their claims of unlawful employment discrimination.

Recently employers and even whole industries have sought to circumvent civil rights laws by forcing employees to sign away the fundamental rights to a court hearing. As a condition of hiring or promotion, a growing number of employers are requiring workers to agree to submit any future claims of job discrimination to binding arbitration panels. This practice, called mandatory arbitration, is engaged in most prominently by the securities industry, but is also increasingly relied upon by employers in information technology, health care, engineering, and other fields. Together, they are reducing civil rights protection to the status of the company car: a perk which can be denied at will.

The U.S. Constitution guarantees every citizen equal justice under law. Forcing employees to choose between their civil rights and their job denies them their right to equal justice. Employees who consent to mandatory arbitration give up their right to due process, trial by jury, the appeals process, and full discovery.

By no means, do I wish to denounce arbitration in general. Voluntary arbitration in an impartial setting can be a fair and inexpensive way to resolve a wide range of disputes. But when it is forcibly imposed on one party with inherently less bargaining power, it ceases to be of value.

Mandatory arbitration of civil rights is wrong even if the arbitration process were a balanced one. But, too often, it has a semblance of impartiality. The securities industry, in particular, has transformed a potentially impartial and independent judicial environment into one where neutrality and independence are virtually nonexistent. A 1994 GAO study of the security industries' arbitration process found that vast majority of securities arbitrators are white men over 60 with little or no expertise in the area of employment law. At best such a setting has the appearance of unfairness; at worst, it is a tainted forum in which an employee can never be guaranteed a truly fair hearing. Like forcing employees to buy goods at the company store, the price of such so-called justice is just too high.

Our legislation would protect the rights of workers to bring claims against their employers in cases of employment discrimination. By amending seven Federal civil rights statutes to make it clear that the powers and procedures provided under those laws are the exclusive ones that apply only when a claim arises, the Civil Rights Procedures Protection Act would prevent discrimination claims from being involuntarily sent to binding arbitration. In short, this bill prevents employers in all industries from forcing employees to give up their right to go to court when they are discriminated against on account of race, sex, religion, disability, or other illegal criteria.

By reinforcing the fundamental rights established under various civil rights and fair employment practice laws, our bill restores integrity to employer-employee relationships. No employer should be permitted to ask workers to check their constitutional and civil rights at the front door.

COMMENDING HON. WARREN CHRISTOPHER FOR EXEMPLARY SERVICE

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in full support of Senate Concurrent Resolution 4, which recognizes the exemplary service of the Honorable Warren Christopher as Secretary of State.

When Warren Christopher was selected by President Clinton to serve this Nation as its Secretary of State the President could not have had any knowledge of how difficult a job it would be.

The war in the former Yugoslavia was at its height and peace seemed to be an illusive goal that only a few committed individuals believed was truly possible. Secretary Christopher was one of those committed individuals, and because of his personal resolve for peace—the Dayton accord resulted in the people of Bosnia, Croatia, and Serbia living through the last year without war.

The quiet dignity that exudes the persona of Warren Christopher is one that we can all admire. He has been a skilled negotiator when representing the interest of the United States, both here and abroad. He has been tireless in his pursuit of positions that promote peace and better understanding among our allies and advisories.

When Secretary Christopher said, "The end of the cold war has given us an unprecedented opportunity to shape a more secure world of open societies and open markets," he worked to reap those benefits for our Nation.

While Secretary Christopher was managing diplomatic relations with the world's great powers and international institutions he was also creating jobs here in the United States by opening markets abroad.

More than 200 trade agreements over the last 3 years have helped our exports grow by 34 percent since 1993 and created 16 million new jobs. Through Secretary Christopher's efforts in promotion of the North American Free-Trade Agreement, concluding the Uruguay round, and forging the Miami summit commitment to achieve free and open trade in our hemisphere by 2005—and the Asia-Pacific economic cooperation commitment to do the same in the Asia-Pacific by 2020—the United States is positioned to become even more dynamic in the global economy in the 21st century.

He worked tirelessly to provide the peace and security that the American people require by promoting constructive relations with other nations and international institutions.

From the issue of championing NATO's Partnership for Peace, the United States-European Union new transatlantic agenda, and other post-cold-war initiatives have improved European stability and strengthened United States-European economic ties and security cooperation.

With Japan, under Secretary Christopher's leadership, we have signed a security declaration and reached 21 market-opening agreements. Now United States exports to Japan are rising five times as fast as imports.

Warren Christopher has played a critical role in creating constructive relations with Rus-

sia during the transition period of their nuclear weapons arsenal, and the strengthening of vital elements of democratic reforms.

Warren Christopher has served his Nation well as its 63d Secretary of State, and is very deserving of this accolade in the form of a House concurrent resolution.

EXTENDING THE DELTA LOAN PROGRAM

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. FORBES. Mr. Speaker, I rise today to bring to the attention of my colleagues a bill that I introduced to improve the Defense Loan and Technical Assistance Program, known in short as the DELTA Program. I am honored to be joined by Congresswoman CAROLYN MCCARTHY in this effort.

As a former regional administrator of the Small Business Administration, I had the opportunity to see firsthand the correlation between a thriving defense industry and a successful small business community. In the early 1990's, Congress mandated a reduction in overall defense spending. As a result of those cuts, many defense businesses and contractors across the country were forced to terminate thousands of employees, eliminate services, and close down factories. Some parts of the country were hit harder than others. On Long Island we saw the departure of our largest employer, Northrup/Grumman and 30,000 jobs lost. In fact, Long Island's economy is still experiencing a recession and we have yet to recover those lost job opportunities.

That is why as a member of the Appropriations Committee, I worked hard to make the DELTA Program a reality.

Currently, \$30 million is authorized and appropriated for the DELTA Program with the specific purpose of helping defense dependent small businesses to diversify within the commercial market, while at the same time retain and create jobs. Since becoming operational in 1995, the DELTA Program has been a success. As of February 1, 1997, 94 DELTA loans have been made nationwide. I am proud to say that eight of those loans were made by the Long Island SBA office, which makes Long Island the leader in the Northeast region. Initial figures show that the DELTA Program has created more than 400 jobs and more than 700 jobs have been retained. While these are impressive numbers, it is important to note that they are not representative of the success of the program. The results of a SBA survey on the program have not been reported yet. I am confident that the survey results, coupled with SBA's initial figures on job creation and retention, will reveal that the DELTA Program has led to the creation and salvation of thousands of jobs.

No question about it—the DELTA Program is a success. And that is why I introduced legislation to make it more accessible to small businesses. My bill calls for three changes to the existing DELTA Program that will ensure that the \$30 million appropriated will not go unused.

First, my bill extends the life of the DELTA Program 1 year to 1999. If unchanged, the DELTA Program will sunset at the close of fiscal year 1998. If we allow this to happen, all

unused DELTA funds will revert back to the General Treasury. This is a real concern because to date of the \$30 million originally set aside for the DELTA Program, only a little more than \$3 million has been utilized. This means that close to \$27 million is sitting unused at the SBA. I would hate to see that money transferred back to the General Treasury, especially when there are so many small businesses and jobs that hang in the balance.

Second, my bill makes the DELTA Program more accessible to small firms. As the law is written now, in order for a small business to qualify for a DELTA loan a substantial amount, 25 percent to be exact, of its prior year's revenue must be derived from defense-related contracts. However, only a small sector of the defense-dependent small firms can meet this onerous requirement. To fully grasp the impact that the defense spending cuts of the early 1990's had on small companies, it is necessary to look beyond a firm's previous year's revenues. It is too narrow of a measure. Most of the small businesses that relied on defense-related contracts are still reeling from the effects of the defense reductions. Ask any business person and they will tell you that it is impossible to project the impact that a policy change has on small businesses based on just 1 year's operating records.

That is why my legislation expands the eligibility requirement for the DELTA Program. My legislation states that in order to qualify for a DELTA loan a firm must demonstrate that during any one of its 7 preceding operating years, at least 25 percent of its sales were derived from defense-related contracts. This provides a more comprehensive and realistic standard of measure.

Third, my bill increases the loan guaranty rate from 75 to 90 percent. A higher guaranty rate is more attractive to lenders and will enable them to make more DELTA loans.

The last thing I want to see happen is the DELTA Program, a program that Congress has already committed \$30 million to go to waste because Congress was not willing to make it work. My bill does not appropriate any new funds for the DELTA Program; it only fine tunes the existing program to make it more available to small businesses. I cannot stand by and let \$30 million that was appropriated by Congress to help small businesses go unused. If Congress does not amend the existing DELTA loan program that will happen.

ON THE DEDICATION OF THE WILLIAM DAVIDSON GRADUATE SCHOOL OF JEWISH EDUCATION

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me in commending Mr. William Davidson, president and CEO of Guardian Industries Corp. and managing partner of the National Basketball Association's Detroit Pistons Basketball Club, on the dedication today of the William Davidson Graduate School of Jewish Education at the Jewish Theological Seminary of America in New York City. This event is an important milestone in the history of the Jewish Theological Seminary and will ensure that future generations of scholars

have the opportunity to study in one of America's premier centers for Jewish learning.

This new addition to the world's scholarly institutions is only the latest of Bill Davidson's outstanding contributions to the field of education and just another example of his philanthropy. As the founder of the William Davidson Institute at the University of Michigan Business School in Ann Arbor, Bill Davidson endowed an institution whose purpose is to help nations—such as the countries of Central and Eastern Europe and the Republics of the former Soviet Union—make successful transitions from command to market economies. As the founder of the William Davidson Business School at Technion—Israel Institute of Technology in Haifa, Israel, Bill Davidson created the world's first educational institution entirely dedicated to the international management of technology-based companies.

Bill Davidson's commitment to education and the Jewish people has been recognized through the awards bestowed upon him for his service over the years. Among those awards, Bill was the recipient in 1992 of the Fred M. Butzel Memorial Award for Distinguished Community Service, the Jewish Community's highest award for volunteer service. He has served as chairman of the United Jewish Appeal for Detroit and as president of Congregation Sha'arey Zedek. Most recently, he has demonstrated his continuing commitment to Israel through his funding of the William Davidson Community Center in Yavne, Israel, and the restoration of the William Davidson Second Temple Period Archeological Park and Orientation Garden in the city of Jerusalem, Israel.

Mr. Speaker, the dedication of the Davidson Graduate School of Jewish Education is only the latest outstanding accomplishment in a career of philanthropy for education and Jewish causes that knows few rivals. I urge my colleagues to join me in commending Bill Davidson for his vision and commitment to education and the Jewish people.

IN HONOR OF FRANK PAGANO:
FOR DISTINGUISHED SERVICE TO
THE RESIDENTS OF JERSEY
CITY AND BAYONNE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a special gentleman, Frank Pagano, who has distinguished himself through his continuous dedication to the residents of my district. Mr. Pagano will be honored by the Bayonne Chapter of UNICO on March 8, 1997, at a black tie dinner dance to be held at the Atrium Restaurant in East Orange, NJ.

Throughout his long career, Mr. Pagano has been a businessman, model citizen, and devoted family man. His entrance into the retail grocery industry came at an early age. In 1929, Mr. Pagano, while still in high school, went to work at Tony Stagno's butcher shop located on the corner of Third and Brunswick Streets in Jersey City. His exemplary work ethic helped him to become proprietor of his own establishment. Never one to miss an opportunity to explore new horizons, Mr. Pagano

added produce, groceries, and a deli to his business in 1949 and became Jersey City's first independent owner of a supermarket. The current location of Mr. Pagano's business, North Street in Bayonne, was opened in 1975 with the assistance of his son Joseph. The new store has been an institution in Bayonne for over 20 years. In 1966, Mr. Pagano was selected Man of the Year by the New Jersey Food Merchants.

Mr. Pagano's commitment to serving his fellow community members extends far beyond his business endeavors. He is a firm believer in the notion that assisting our young people to achieve their full potential is the best way for us to meet the challenges of the future. Mr. Pagano has been actively involved in organizations such as the Hudson County Sierra Club and the Jersey City Boys' Club. He is a member of the Dante Alighieri Society, past president of UNICO of Jersey City, and Alhambra Caravan 8. For his efforts, Mr. Pagano has received numerous awards, including the 1992 Everyday Hero Award, the Devoted Service Award from the Boys and Girls Club of Hudson County, and the Humanitarian Award from the Assumption Catholic War Veterans Post No. 1612.

The core of Mr. Pagano's existence is his family. He has been married to the former Anna Garguillo for 59 years. Mr. and Mrs. Pagano are the proud parents of two sons, Joseph and Neil. Joseph and his wife Charlotte have two children, Ben and Joseph; and Neil and his wife Elaine are the parents of three children Kristen, Stacy, and Stephen.

Mr. Pagano epitomizes excellence in community service, and has had a positive impact on many lives. It is an honor and a pleasure to have such a man residing in my district. I am certain that my colleagues will rise with me and honor this remarkable individual.

FREE THE CLERGY ACT, H.R. 967

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. GILMAN. Mr. Speaker, today, I am introducing the Free The Clergy Act, H.R. 967, a bill that will prohibit visas or U.S. Government sponsorship for Chinese Government officials involved in the repression of religion.

Mr. Speaker, there are hundreds of people serving long prison sentences in China and occupied Tibet for practicing their religious faith. Let me repeat that for my colleagues; hundreds of people, Catholics, Protestants, and Buddhists are spending many years of their lives in prison for following religious practices. Unfortunately, the situation is getting worse.

According to a report released by Human Rights Watch/Asia:

The Chinese government is subjecting unauthorized Catholic and Protestant groups to intensifying harassment and persecution * * *

During the last two years, the Chinese government broadened its drive to crush all forms of dissent * * * all religious believers, and especially Christians, are seen as potential security risks. * * *

How does Beijing repress religious practitioners? The Communist government sentences a 76-year-old Protestant leader to 15

years in prison for distributing bibles. It sentences a 65-year-old evangelical elder to an 11-year prison term for belonging to an evangelical group outside the government-sanctioned religious organizations. A 60-year-old Roman Catholic priest was sentenced to 2 years of reeducation through labor for unknown charges. He had previously spent 13 years in prison because of his refusal to renounce ties with the Vatican. The 6-year-old Panchen Lama and his family have been detained for 1½ years and their whereabouts are unknown. Scores of Tibetan Buddhists who refused to participate in the Communist Chinese sham enthronement of Beijing's "Panchen Lama" have been sent to prison and one of their spiritual teachers committed suicide rather than take part in the Chinese charade.

Mr. Speaker, my colleagues, there are hundreds of such cases. Mind you these people are not spending time in prison and wasting their lives away for calling for political pluralism or democracy. They are being severely punished simply for following their religious beliefs.

The administration argues that economic liberalization will bring about political pluralism. Many policy makers articulate that position due to political pressure from business groups. It needs to be pointed out, however, that sweeping religious practitioners under the same rug for short-term economic interests could be a political mistake that will be a long-term liability. The American people are very concerned about jobs and the economy but not if it is at the expense of their core moral and religious beliefs.

Our Free the Clergy Act would prohibit visas and any United States funds to be spent on Chinese officials who are involved with the repression of religion in China and occupied Tibet. It sends a message that we find religious repression repugnant and at grave odds with important American values.

Accordingly, I urge my colleagues to support H.R. 967 and ask that the full text of our bill be printed at this point in the RECORD:

H.R. 967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress makes the following findings:

(1) Despite public assurances by the Government of the People's Republic of China that it would abide by the principles of the Universal Declaration of Human Rights and despite the United Nations Charter requirement that all members promote respect for and observance of basic human rights, including freedom of religion, the Chinese Government continues to place severe restrictions on religious expression and practice.

(2) It has been reported that at an internal Central Communist Party meeting in 1994, President Jiang Zemin asserted that religion is one of the biggest threats to Communist Party rule in China and Tibet.

(3) On January 31, 1994, Premier Li Peng signed decrees number 144 and 145 which restrict worship, religious education, distribution of Bibles and other religious literature, and contact with foreign coreligionists.

(4) The Chinese Government has created official religious organizations that control all religious worship, activity, and association in China and Tibet and supplant the independent authority of the Roman Catholic Church, independent Protestant churches, and independent Buddhist, Taoist, and Islamic associations.

(5) In July 1995, Ye Xiaowen, a rigid communist hostile to religion, was appointed to head the Bureau of Religious Affairs, a Chinese Government agency controlled by the United Front Work Department of the Chinese Communist Party. The Bureau of Religious Affairs has administrative control over all religious worship and activity in China and Tibet through a system of granting or denying rights through an official registration system. Those who fail to or are not allowed to register are subject to punitive measures.

(6) In the past year, the Chinese Government has expressed great concern over the spread of Christianity and particularly over the rapid growth of Christian religious institutions other than those controlled by the Chinese Government, including the Roman Catholic Church and the evangelical Christian "house churches".

(7) Soon after the establishment of the People's Republic of China in 1949, the Chinese Government imprisoned Christians who refused to relinquish their faith to become servants of communism, charging them as "counter-revolutionaries" and sentencing them to 20 years or more in "reeducation through labor camps".

(8) Hundreds of Chinese Protestants and Catholics are among those now imprisoned, detained, or continuously harassed because of their religious beliefs or activities.

(9) The prisons and labor camps which hold these religious prisoners are run by the Ministry of Public Security and the Ministry of Justice of the Chinese Government.

(10) Although some negotiations have taken place, the Chinese Government refuses to permit the appointment by the Vatican of Catholic bishops and the ordination of priests not approved by the Government and insists on appointing its own "Catholic bishops".

(11) The Tenth Panchen Lama died in January 1989 at Tashilhunpo Monastery, his traditional spiritual seat in Shigatze, Tibet's second largest city.

(12) It has always been the right and the role of the Dalai Lama to recognize the successor to the Panchen Lama. On May 14, 1995, His Holiness the Dalai Lama announced recognition of a six-year-old boy, Gedhun Choekyi Nyima, as the Eleventh Panchen Lama, according to Tibetan tradition.

(13) The young boy recognized by the Dalai Lama and his family have been brought to Beijing by Chinese authorities and have not been seen for months. The Chinese authorities announced publicly in June 1996 that they are holding Gedhun Choekyi Nyima.

(14) Chadrel Rimpoché, abbot of Tashilhunpo Monastery and head of the original search committee for the Eleventh Panchen Lama, and his assistant, Champa Chung, are believed to have been seized and detained by Chinese authorities in May of 1995.

(15) Chinese Government authorities subsequently detained other Tibetan Buddhists in connection with the selection of the Eleventh Panchen Lama, including Gyatrol Rimposhe, Shepa Kelsang, Lhakpa Tsering, and Ringkar Ngawang.

(16) The Chinese Government convened a conference in Beijing where Tibetan monks were coerced to select a rival candidate to the child recognized by the Dalai Lama as the Eleventh Panchen Lama.

(17) On November 29, 1995, officials of the Chinese Government orchestrated an elaborate ceremony designating a six-year-old boy selected by the Chinese Government as the Eleventh Panchen Lama and on December 8, 1995, a Government-sponsored ceremony was held in Shigatze, Tibet, where the boy selected by the Government was enthroned as the Eleventh Panchen Lama.

(18) By seeking to impose its own candidate as the Eleventh Panchen Lama and detaining the six-year-old boy recognized for that position in accordance with Tibetan tradition, the Chinese Government is infringing on a purely Tibetan religious matter, in blatant violation of the fundamental human rights of the Tibetan people.

SEC. 2. CONGRESSIONAL STATEMENT OF POLICY.

It is the sense of the Congress that the President should make freedom of religion one of the major objectives of United States foreign policy with respect to China. As part of this policy, the Department of State should raise in every relevant bilateral and multilateral forum the issue of individuals imprisoned, detained, confined, or otherwise harassed by the Chinese Government on religious grounds. In its communications with the Chinese Government, the Department of State should provide specific names of individuals of concern and request a complete and timely response from the Chinese Government regarding the individuals' whereabouts and condition, the charges against them, and sentence imposed. The goal of these official communications should be the expeditious release of all religious prisoners in China and Tibet and the end of the Chinese Government's policy and practice of harassing and repressing religious believers.

SEC. 3. PROHIBITION ON USE OF FUNDS FOR THE PARTICIPATION OF CERTAIN CHINESE OFFICIALS IN CONFERENCES, EXCHANGES, PROGRAMS, AND ACTIVITIES.

(A) PROHIBITION.—Notwithstanding any other provision of law, for fiscal years after fiscal year 1997, no funds appropriated or otherwise made available for the Department of State, the United States Information Agency, and the United States Agency for International Development may be used for the purpose of providing travel expenses and per diem for the participation of nationals of the People's Republic of China described in paragraphs (1) and (2) in conferences, exchanges, programs, and activities:

(1) The head or political secretary of any of the following Chinese Government-created or approved organizations:

(A) The Chinese Buddhist Association.

(B) The Chinese Catholic Patriotic Association.

(C) The National Congress of Catholic Representatives.

(D) The Chinese Catholic Bishops' Conference.

(E) The Chinese Protestant "Three Self" Patriotic Movement.

(F) The China Christian Council.

(G) The Chinese Taoist Association.

(H) The Chinese Islamic Association.

(2) Any military or civilian official or employee of the Government of the People's Republic of China who is directly involved in any of the following policies or practices or who was responsible for the supervision of persons directly involved in such policies or practices:

(A) Formulating, drafting, or implementing repressive religious policies.

(B) Imprisoning, detaining, or harassing individuals on religious grounds.

(C) Promoting or participating in policies or practices which hinder religious activities or the free expression of religious beliefs.

(b) CERTIFICATION.—

(1) Each Federal agency subject to the prohibition of subsection (a) shall certify in writing to the appropriate congressional committees no later than 120 days after the date of enactment of this Act, and every 90 days thereafter, that it did not pay, either directly or through a contractor or grantee, for travel expenses or per diem of any national of the People's Republic of China described in subsection (a).

(2) Each certification under paragraph (1) shall be supported by the following information:

(A) The name of each employee of any agency of the Government of the People's Republic of China whose travel expenses or per diem were paid by funds of the reporting agency of the United States Government.

(B) The procedures employed by the reporting agency of the United States Government to ascertain whether each individual under subparagraph (A) did or did not participate in activities described in subsection (a)(2).

(C) The reporting agency's basis for concluding that each individual under subparagraph (A) did not participate in such activities.

(c) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

SEC. 4. CERTAIN OFFICIALS OF THE PEOPLE'S REPUBLIC OF CHINA INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION.

Notwithstanding any other provision of law, any national of the People's Republic of China described in paragraph (1) or (2) of section 3(a) shall be ineligible to receive visas and shall be excluded from admission into the United States.

SEC. 5. SUNSET PROVISION.

Sections 3 and 4 shall cease to have effect 4 years after the date of the enactment of this Act.

DELAURO HONORS ANNA WALSH-CUSANO

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Ms. DELAURO. Mr. Speaker, on Tuesday, November 26, 1996, the Atwater Senior Center will be celebrating its 31st anniversary with an open house, dedication of a health clinic and a luncheon. The new health clinic will be dedicated in honor of the previous director of Atwater, Anna Walsh-Cusano. I am delighted to rise today to congratulate Atwater on this special anniversary and to honor the memory of my friend, Anna Walsh-Cusano.

Anna Walsh-Cusano was the first director of the Atwater Senior Center. An integral part of the Fair Haven community, Atwater has meant a great deal to a countless number of elderly citizens. Anna's family likes to remember that the center meant everything to her. She truly put her heart and soul into running Atwater. After her husband, Fred, died in 1973, Anna spent almost as much time at the center as she did at her home. She became so involved in the lives of residents and she was so dear to them that they came to call her by the affectionate nickname of "Nonnie."

Anna clearly understood the need for elderly citizens to have a place to gather for recreation and social events. Senior centers like Atwater provide people with creative outlets and an opportunity to have fun with others. With activities like day and overnight trips, parties, live entertainment and line-dancing and ceramics classes, there is always plenty to do

at Atwater. Seniors are an integral part of our community and Atwater ensures that they remain active and involved.

As Atwater celebrates its 31st anniversary, it also celebrates the beginning of a unique partnership with the Hospital of St. Raphael. After 2 years of renovations, including a new roof and improvements on a number of rooms, Atwater is unveiling a joint venture with the hospital, the St. Raphael's Health Screening Clinic. The health center will focus on preventive care for seniors. I am very excited about this venture because the combination of these two facilities under one roof will provide seniors with better access to the care they need to stay healthy.

I am very pleased to recognize the 31st anniversary of the Atwater Senior Center. I know Atwater, with the new health center, will continue to provide important services to seniors. I applaud the present director, Norma Rodriguez-Reyes, and all the staff who work so hard every day to make Atwater the special place it is. They should all be very proud on this anniversary.

INTRODUCTION OF THE WORKPLACE FAIRNESS ACT OF 1997

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. BILBRAY. Mr. Speaker, the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Americans with Disabilities Act prohibit discrimination in employment because of race, color, religion, sex, national origin, age, and disability. I believe that we must begin to explore ways to look beyond the traditional model of combating discrimination, which is currently accomplished by protecting a class or category of people. Instead, we must begin to pass laws which protect the individual from discrimination. A person's singular worth and merit should be the yardstick we measure by, rather than a person's behavior or characteristics which attach them to a group. If we predicate discrimination law on distinctions between groups or categories, we negate the original intention of protecting against discrimination itself.

Therefore, I am reintroducing the Workplace Fairness Act of 1997, which will effectively prohibit discrimination on any basis other than an employee's individual merit. Instead of continuing a piecemeal approach to discrimination law by adding special categories to those now protected under title VII of the Civil Rights Act, my legislation ensures that the only factors which employers may consider are those pertaining to job performance. While this may be considered a radical approach to employment law, it is only fair that all employees are duly protected under the law, and not subject to being fired for arbitrary reasons. Without a legislative remedy such as this, Congress is going to be faced with the dilemma of adding special categories to those already protected under title VII of the Civil Rights Act, every time it is believed that a certain class is being unjustly treated. This is no laughing matter, Mr. Speaker, but will left-handed people be added to the list next? What about red-headed

people? Under current law, such cases could indeed be made. Let us consider the logical evolution and consequence of this approach.

Specifically, the Workplace Fairness Act prohibits discrimination in a blanket fashion, rather than establishing newly protected classes in addition to those which already exist. It does so by establishing that employers shall not subject any employee to different standards or treatment in connection with employment or employment opportunities on any basis other than that of factors pertaining to job performance. My legislation defines "factors pertaining to job performance," which include employment history, ability, and willingness to comply with performance requirements—including attendance and procedures—of the job in question, educational background, drug and alcohol use which may adversely affect job performance, criminal records, and conflicts of interest.

The Workplace Fairness Act establishes that merit is the sole criterion for consideration in job applications or interviews, hiring decisions, advancement, compensation, job training, or any other term, condition, or privilege of employment. Additionally, those currently protected under title VII of the Civil Rights Act will still be able to seek redress upon enactment of the Workplace Fairness Act, as my legislation avails existing title VII remedies to any individual discriminated against under my bill. My legislation also exempts religious organizations, prohibits the establishment of quotas on any basis other than factors pertaining to job performance, and specifically does not invalidate or limit the rights, remedies, or procedures available under any other existing Federal, State, or local law to persons claiming discrimination.

Under the Workplace Fairness Act, employers and employees will still be allowed to enter into an alternate dispute resolution agreed upon before the term of employment begins, just as under current law. Further, the existing Federal statute in rule 11 of the Federal Rule of Civil Procedure states that if a frivolous lawsuit is filed by the plaintiff—the employee or prospective employee—then the court may rule that the plaintiff may pay the expenses of the defendant—the employer. Additionally, rule 68 of the Federal Rule of Civil Procedure is enforced in civil rights cases such as those that would be brought about under the Workplace Fairness Act. Rule 68 states that the fee burden can be shifted from the employer to the employee, if the employee files a frivolous claim, or if the employer is found to not be at fault.

While my legislation will clarify once and for all the civil rights of all Americans, it still gives employers adequate flexibility in determining who they wish to hire, and ensures that they provide just cause for termination that is unrelated to job performance. Discrimination law should mirror the goal which it is intended to embody. Our laws should reflect a standard governed by individual merit, not by an individual's relation to a defined group. The image of a discrimination-free society is undermined by a society whose laws supersede the value of those they are intended to protect: the individual. I urge my colleagues to cosponsor my legislation, and build upon our past successes by creating a new model to combat discrimination in America.

DISPLAY OF THE TEN
COMMANDMENTS

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1997

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to House Concurrent Resolution 31, which expresses the sense of Congress regarding the display of the Ten Commandments in Government offices and court-houses.

While supporters of this resolution would have the American public be fooled about the nature of this resolution, I stand to tell the American people the truth.

This resolution is in clear violation of the Constitution of the United States. It is a violation of the establishment clause of the Constitution. I am not in favor of violating the Constitution. Nor am I in favor of trying to fool the American people.

Some in this Chamber would have the American people believe that a vote against this resolution is a vote against the Ten Commandments. This is certainly not the case.

The Supreme Court has been quite clear on this subject. In *Stone versus Graham*, the Court struck down a Kentucky law which required the posting of the Ten Commandments in public schools. In *Harvey and Cunningham versus Cobb County*, the Eleventh Circuit Court of Appeals held that a display of the Ten Commandments was unconstitutional.

I am a strong supporter of the freedom of expression and religion which is inherent in the first amendment to the Constitution.

The Ten Commandments are the basic precepts upon which many society's laws are based. They have not changed. They are still taught by families and countless religious denominations in the United States and around the world.

The Ten Commandments have, and will continue to be the foundation for religious instruction.

We should continue to uphold the Constitution of the United States and reject this resolution.

TRIBUTE TO PHILANTHROPIST
ALICE PETERS

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Alice Peters. Mrs. Peters has demonstrated the ability to raise the spirits of people all over the Fresno community. I want to honor her today for her service to Fresno.

As noted in a recent edition of the Armenian General Benevolent Union [AGBU] magazine, Alice Peters' family moved to Lynn, MA from Bitlis in 1907. After hearing that more Bitlistsies were residing in the Fresno area, the family moved to a small farming town outside of Fresno called Del Rey. In 1943, she met and married Leon Peters, who was a farmer by day and sold pumps for water at night. The pump business grew and became

one of the Nation's premier wine-making machinery plants. Eventually, the business grew to be as large as 300 employees before the couple sold it and began pursuing other interests.

Perhaps even more important than the wine-making machinery business was the formation of the Leon S. Peters Foundation in 1959. The foundation, with Mrs. Peters as the board chairman, supports many different educational causes today. Locally, the foundation aids humanitarian endeavors and university scholarships. Foundation guidelines require the money be kept in Fresno to help students locally. Specifically, the foundation also sends funding to various organizations throughout Armenia, including supporting scholarships for students studying at the American University of Armenia and funding to assist children at the Nork Children's Center.

Education is not where the work of Alice Peters ends. As one of the leading philanthropists in Fresno, Mrs. Peters was instrumental in starting the Fresno Metropolitan Museum of Art and also is a fundraiser for the Fresno Zoo and the Boy and Girl Scouts of America. Together, Mr. and Mrs. Peters have led Fresno from a small farming town to one of the largest and most thriving cities in California.

Mr. Speaker, as an active member of the Fresno community, Alice Peters has contributed to the growth and cultivation of new ideas and accomplishments in the Fresno community. She and her husband faced the challenges and the successes of the business world together. In turn, they gave back to the community that was the foundation for their successes. I ask my colleagues to join me and pay tribute to a woman who strives each day to make the Fresno community as fulfilling for other lives as it has been for her life.

SALUTE TO KERMIT HOLLY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to honor the late Mr. Kermit Wells Holly, Sr., who was born February 9, 1908, in Hinds County, MS, to the late Harvey and Abi Ellen Wells Holly.

Mr. Holly departed this life on September 28, 1995, but he left a proud legacy as a husband, father, musician, educator, and mentor. He attended the Jackson Public Schools and received a bachelor's degree from Clark College, Atlanta and the master of music degree from Chicago Musical College.

Mr. Holly began his teaching career at Clark College and later returned to Jackson College in 1930 where he made numerous contributions to the college orchestra, band, and the overall financial well-being of the college.

In 1937, Mr. Holly joined the faculty at Alcorn College in Lorman, MS, where he organized the Alcorn Marching Band, orchestra, dance band, and the Purple and Gold Sereaders. In 1941, he returned to Jackson and resumed teaching in the Jackson Public School System serving as band director and choir director at Lanier High School.

Mr. Holly retired in 1973 after 46 years in the field of music education, he is considered

the father of African-American musicians in Jackson and throughout the State of Mississippi.

Mr. Speaker, I ask you to join me in saluting the family of Mr. Kermit Holly for the outstanding contributions he made to the world of music.

ENVIRONMENTAL REMEDIATION
TAX CREDIT AND TAX-EXEMPT
FINANCING

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. WELLER. Mr. Speaker, I come to the well today with colleagues from both sides of the aisle, and particularly from the Illinois delegation to introduce bipartisan legislation to address the problem of brownfields that plague many of our districts. I have worked closely with my colleagues and with Mayor Daley of Chicago to develop incentives to encourage the clean up and redevelopment of these abandoned industrial sites which blight our communities. State and local governments will also receive greater flexibility to assist in the financing of such efforts. Fostering private sector remediation will attract business activity, leading to economic growth and stability and will ultimately place these sites back on the tax rolls.

Current law provides disincentives for investors to buy brownfield sites for redevelopment. Today, if you own a parcel of land and contaminate it, you can take a current year deduction for the full cost of cleaning up the site. However, if you buy a contaminated site to redevelop it you must recover your clean up cost over a number of years. The number of years you must capitalize the expense depends upon the use of the property. Depending on the intended use of the property, the recovery period can be as long as 28 years.

To turn this around, our bill would allow developers to deduct up to \$500,000 of the costs in year that they are incurred and capitalize the remaining costs over a much shorter period of 5 years. According to the date we have collected, close to 50 percent of the brownfield sites in America could be restored for under \$500,000.

For more extensive remediation, developers often look to the local community to assist in attracting additional investment. Our second bill creates a new category of private activity bonds, namely remediation bonds. State and local jurisdictions can use this new type of bond under their existing issuance authority limit to solicit private investment to assist in the financing of redeveloping abandoned sites.

Both bills as a package have been endorsed by Mayor Daley and the majority of the Illinois delegation from both sides of the aisle. I am very proud of the work that has gone into developing an approach that has garnered broad bipartisan support and I look forward to working with my colleagues to secure enactment of this important and historic legislation.

McGILL-TOOLEN STUDENTS VISIT
WASHINGTON

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. CALLAHAN. Mr. Speaker, last month, members of the McGill-Toolen Pro-Life Club traveled to Washington to take part in the March for Life. With their very presence here, these young people, all of whom are from the First Congressional District of Alabama, exercised one of the most basic, yet cherished freedoms we have in this country: the right to free speech.

I applaud these young men and women, as well as their chaperons, for taking the time to come to their Nation's Capital to let their Congressman know their views. More importantly, these students joined with the voices of thousands of other people from all over the country, to participate in a peaceful march for the right of the unborn.

When I was meeting with the students, a young man, Patrick Roberts, asked how he and his fellow classmates could get their name in the CONGRESSIONAL RECORD. Think about that, Mr. Speaker. These young people wanted the world to know they were in Washington, DC, for a purpose. And what a noble purpose it was.

So, Mr. Speaker, I ask that the names of Patrick Roberts, and all of his classmates, be entered into the RECORD, so that from this day forward, the worthy mission of the McGill-Toolen Pro-Life Club will be duly noted. In alphabetical order, the participants included: Alex Almeida, Keith Battle, Robbie Beckmann, Fred Boni, Jay Boren, Shauna Boren, Julie Busbee, Kathy Carey, Yosuke Chiba, Andrea Dumas, Tierney Eaton, Hartley Griffith, Eric Grip, Patrick Hardy, Jessica Hanson, Karen Histing, Kelly Hollister, Carolyn Hughes, Ann Marie Johnson, Jake Kilborn, Robert Kurtts, Cathy Kurtts, Claire Kurtts, Elizabeth Lilly, Sara Mareno, Toni McCammon, Theresa McCown, Andrew Mulek, Julie Ogburn, Barclay O'Brien, Pat O'Meara, Jenny Parker, Cleveland Patterson, Amy Pearson, Mary Perkins, Mandy Reimer, Patrick Roberts, Ashley Russell, Mary Schlichting, Kate Titford, Bridget Young, Father Steve Williams, and Kathy Zitnik.

CONGRATULATIONS TO THE UNIVERSITY OF MINNESOTA HOCKEY TEAM

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. RAMSTAD. Mr. Speaker, just 1 week ago, I stood here on the House floor and shared the pride and excitement my fellow Minnesotans are experiencing this winter as our University of Minnesota men's basketball team won the Big Ten Championship for the first time in 15 years.

Today, I stand doubly proud. Last Saturday evening, following the basketball team's home celebration of the Big Ten title, the University of Minnesota men's hockey team clinched the Western Collegiate Hockey Association Con-

ference Championship with a hard fought 7-3 win over Wisconsin. In a matter of just two weeks, the Minnesota Golden Gophers have—for the first time ever—won conference championships in these two major sports in the same season.

Hockey success surely has not been rare during head coach Doug Woog's 12-year tenure as coach. Coach Woog last led his team to the WCHA championship during the 1991-1992 season and has coached each of his teams into the very selective NCAA tournament. The difference, Mr. Speaker, is this was expected to be a rebuilding year.

After losing 10 players to graduation last year, including the Nation's top scorer and half of the team's defensive corps, the young Gophers dedicated themselves to improvement to the point they were in the position to win a share of the conference title on the last day of the season.

Mr. Speaker, this achievement is especially gratifying as the University of Minnesota celebrates 75 years of Golden Gopher hockey. Coach Woog has continued our State's steep hockey tradition, one started by the father of American hockey, John Mariucci, by fielding an entire team of Minnesota-born players.

This team truly is Minnesota's pride on ice.

Mr. Speaker, this overachieving team is characterized by four dedicated, hard-working seniors who eagerly place team above self. Speedy cocaptain Nick Checco, nicknamed "Mr. March," has had a knack for scoring goals at crunch time and during tournament play.

Checco, along with forwards Dan Woog and Danny Hendrickson, paced a stingy penalty killing unit that led the conference and is seldom outworked in the gritty business of controlling the corners.

Defenseman Brian LaFluer, who missed 6 weeks with a shoulder injury, returned at the same level when he left, igniting the offense with his transitional play and solidifying the young defense.

The offense was led by All-American defenseman junior Mike Crowley, who tied for the conference scoring title. Junior sharpshooter Ryan Kraft led the team with 24 goals scored, while freshman Dave Spehar, the all-time leading high school scorer, quickly adjusted to college hockey by leading the team in game-winning goals and all WCHA freshman in points.

A talented group of sophomores have contributed to this team's success: Mike Anderson, Reggie Berg, and Eric Rasmussen—the first American selected in last year's National Hockey League amateur draft. Eric teamed with forward Wyatt Smith and freshman Ben Clymer to help lead the U.S. Junior National Team to a silver medal finish in the World Junior Tournament last December. The silver medal marked the best finish ever for a U.S. Junior National Team.

It is often said championships are won with defense. Junior goaltender Steve DeBus' play truly inspired this young team. DeBus led the conference in wins, was among conference leaders in save percentage and goals against. His calm under intense pressure and cat-quick reflexes gave his teammates confidence they had a chance in every game.

Mr. Speaker, the Gophers celebrated their championship in grand hockey tradition; 25 student-athletes, circling the ice, each holding the MacNaughton Cup and proudly hoisting it

high over their head. With this show of unity, the contributions of forward Casey Hankinson are proudly displayed. Casey, a junior co-captain, is the glue that held this team together. An emotional leader, his hard work in practice, at game time, and fiery intermission orations combined to inspire his teammates to strive for excellence.

Mr. Speaker, today I want to offer my heartfelt congratulations to the University of Minnesota hockey team, true champions of the heart as well as the Western Collegiate Hockey Association.

HONORING THE GRANITE STATE CHAPTER NO. 1, PEARL HARBOR SURVIVORS ASSOCIATION ON THEIR 25TH ANNIVERSARY

HON. JOHN E. SUNUNU

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. SUNUNU. Mr. Speaker, today I rise to honor and recognize those members of the Granite State Chapter No. 1, Pearl Harbor Survivors Association on the occasion of their 25th anniversary.

December 7, 1941 will forever stand as one of the darkest days in our Nation's history—one of pain, one of sacrifice, and above all, one of loss. We cannot erase the terrifying images of bullets, bombs, and bloodshed from our memories, nor should we. Never before had our country experienced such an attack, not only on the territory within our borders, but on the spirit within our people.

It is for these reasons, Mr. Speaker, that I am compelled to recognize those individuals who put forth their minds, bodies, and souls to fight and survive the onslaught of the overwhelming Japanese forces on that day. The members of the Pearl Harbor Survivors Association can stand proud knowing that their courage and character is duly remembered by all citizens of a grateful Nation, and will serve as a benchmark of honor for all Americans in the future. Although the destruction of our military machinery was vast during this horrific battle, the patriotism of these heroes remained unscathed. These individuals should rest assured knowing that their colossal efforts defending our country in such an adverse situation inspired our troops to a proud victory in the end.

Mr. Speaker, it is with particular privilege that I take this opportunity to pay tribute to Granite State Chapter No. 1, Pearl Harbor Survivors Association and ask that they and those Americans who died during the invasion of Pearl Harbor be remembered on the year of the association's silver anniversary.

ANNIVERSARY OF THE FALL OF THE ALAMO, 1836

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. JONES. Mr. Speaker, today, March 6, 1997, marks the 161st anniversary of the fall of the Alamo in 1836.

One of the most treasured memorials of our national heritage is the Alamo; millions of

American and Mexican citizens travel each year to see where this epic battle between America and Mexico was fought. History records that approximately 184 Americans and over 600 Mexicans gave their lives in the battle. Each country fought valiantly, driven by a sincere love for their nations.

At the Alamo, two known battle flags were flown. History teaches us that one flag was destroyed, and the other, the battle flag of the New Orleans' Greys militia unit, was captured by the Mexican leader Santa Anna. The battle flag was then sent to Mexico City as proof that the Alamo had been receiving help from rebel forces in America, and as proof to Mexico that Santa Anna had captured the Alamo.

This flag is known to exist and has been seen within the last decade by legitimate sources. It is reported to be in the same basic condition as when it was originally sent to Mexico so many years ago.

This valued and treasured artifact of Mexican and American history needs to be returned to its rightful place, the Alamo, so it can be displayed as a memorial tribute to the men who fought and died for their Nations' beliefs.

At present, the Texas State Legislature has been authorized to pursue the loan or trade of three Mexican flags captured at the subsequent battle of San Jacinto in return for the Alamo flag, and also has funding set aside to assist in the restoration and preservation of the flag upon its return.

At no previous time in history have our two nations enjoyed a better economic relationship

with respect to trade and diplomatic relations. I ask that my colleagues and fellow Americans take this opportunity to reach out to our friends in Mexico, to request that the battle flag be returned to its rightful place at the Alamo.

INTRODUCTION OF A BILL AMENDING THE RAILWAY LABOR ACT ON BEHALF OF AIRLINE PILOTS ENGAGED IN FOREIGN FLYING

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 6, 1997

Mr. RAHALL. Mr. Speaker, I rise today to reintroduce a bill which was pending before the 104th Congress concerning the applicability of the Railway Labor Act to flight crews of United States air carriers engaged in flight operations outside the United States.

Mr. Speaker, the bill I and my colleagues have reintroduced clarifies the intent of Congress that the RLA covers the collective bargaining right of flight deck crew members employed by U.S. air carriers when they are based overseas or are performing their duties exclusively outside the United States.

Historically, airlines and the bargaining representative of their pilots have negotiated and honored numerous agreements governing their overseas operations. It is our contention

that coverage of these agreements is currently available under existing law, namely the RLA. However, there have been at least two conflicting Federal court decisions over the past two decades on the issue of the enforceability of such agreements under the RLA. The opinions in these cases acknowledge that Congress has the power to apply its laws in extraterritorial circumstances, but it must do so expressly; and the courts have held that in the case of the RLA the intent of Congress to do so has not been clearly expressed.

The legislation introduced today will once and for all clarify existing law. Doing so would confirm that the terms and conditions of the overseas flight operations of U.S. airlines are subject to negotiation between their managements and the selected bargaining representatives of their pilots under the same statutory authority as the terms and conditions of their domestic flying.

The legislation does not impose our labor laws on foreign countries; it does not cover employees providing ground and related services for U.S. carriers exclusively in foreign countries; it does not preclude negotiation of wages and terms and conditions of employment tailored to flight deck crew members that perform overseas operations.

If any of my colleagues are interested in becoming cosponsors of this important legislation, or if you have any questions, please call me or Mrs. Kyle on my staff at extension 53452.